

April 1559
to
December 1560





THE STANDARD OF QUALITY
TRADEMARK REGISTERED
MADE IN U.S.A.
SINCE 1842
No. MB312C
BOORUM & PEASE CO. BROOKLYN, N.Y.



April 13, 1959

The regular meeting of the Borough Council was held in the Municipal Building on the above date.

The meeting was called to order at 8:10 P.M. by President Jones with the following present: Councilmen Palmer, Platten, Jones, Haigler, Rudolph, Brooks; Solicitor Henderson, Burgess Williams, Engineer Haggerty, Superintendent Stauch, 8 residents and 3 press representatives.

The invocation was given by Burgess Williams.

In accordance with previous advertising, bids were opened for the purchase of a new second police car as follows:

Bidder & Name of Car	Banes Ford Ford	Conroy Ford	Heinel Ply Savoy	Jarrett Plymouth	Liebold Ford
GROSS PRICE OF CAR	\$2265.75	2329.00	2419.20		2819.00
LESS FEDERAL TAX	193.20	207.00	206.50		168.00
TOTAL COST OF CAR	2072.57	2122.00	2212.70	2251.20 + 68.00 Dest Charge	2651.00
<u>EQUIPMENT</u>					
SPOT LIGHTS	54.00	42.00	42.40	55.00	57.90
HEATER & DEFROSTER	57.85	58.00	52.50	Included	74.50
INSTALL METAL SCREEN	3.50	9.00	7.50	10.00	4.00
INSTALL FIRE EXTING. BRACKET	N.C.	1.00	2.50	N.C.	1.50
INSTALL SIREN	4.50	4.00	5.00	5.00	4.50
INSTALL RED LIGHT ON ROOF	4.50	12.00	12.00	10.00	18.00
TOTAL PRICE OF EQUIPMENT	124.35	126.00	121.90	80.00	160.40
TOTAL PRICE OF CAR	2196.92	2248.00	2334.60	2399.20	2342.92
	45 days	30 days	30 days	30 to 40 days	30 days

Continued

Bids for New Police Car Continued

BIDDER & NAME OF CAR	McKown Plymouth	Smith Chev.	Sunny Stein Chev.	Stockberger Chev.
GROSS PRICE OF CAR	2449.10	2400.00	2411.07	2405.10
LESS FEDERAL TAX	169.00	212.35	216.80	207.10
TOTAL COST OF CAR	2280.10	2187.65	2194.27	2198.00
<u>EQUIPMENT</u>				
SPOT LIGHTS	40.00	40.00	45.50	42.00
HEATER & DEFROSTER	Included	62.50	52.50	60.00
INSTALL METAL SCREEN	20.00	5.00	2.25	5.00
INSTALL FIRE FGTING. BRACKET	.50	N.C.	.45	1.25
INSTALL SIREN	5.00	5.00	2.25	3.75
INSTALL RED LIGHT ON ROOF	15.00	5.00	4.50	5.00
TOTAL PRICE OF EQUIPMENT	80.50	117.50	107.35	117.00
TOTAL PRICE OF CAR	2360.10	2305.15	2301.62	2315.00
	30 days	30 days	30 days	

A motion was made by Dr. Brooks, seconded by Mr. Haigler and approved by the Council to refer the above bids to the Public Safety Committee for review and recommendation. Mr. Jones announced that the contract for the police car would be awarded at the May 11 Council meeting.

Mr. Platten requested that Public Safety Committee consider delaying the delivery of the new police car until September 1, to eliminate the necessity of borrowing funds to pay for the car.

In accordance with previous advertising, bids were opened for the purchase of a 16 cu. yard refuse collection truck and body as follows:

16 CU. YD. COLLECTION BODY

BIDDER & MAKE	Warner-Fruehauf Trailer Co. Hyde Pack		Road Machinery M.B.	Eastern Body Hydro Eye Pack
PRICE FOB HATBORO	3647.20	4206.54	3920.00	4100.00
PRICE FOB FACTORY	3347.20	3906.54	3545.00	---
DELIVERY DATE	30 days		2 Weeks	5 Days

CHASSIS & CAB FOR COLLECTION TRUCK

	PRICE FOB FACTORY	PRICE FOB HATBORO	DELIVERY DATE
<u>Jarrett</u> Dodge D-500 315 Cu.Disp.	3085.40	3152.40	4 Weeks
<u>Jarrett</u> Dodge D-500 318 Disp.Eng.	3030.40	3097.40	4 Weeks
<u>Smith</u> Chev.-6 Cyl Jobmaster	---	3267.00	30 Days
<u>Stockburger</u> Chev V-8	3981.61	4088.21	30-60 Days
<u>Conroy</u> Ford V-8	3298.00	3298.00	30 Days
<u>Heinel</u> Dodge D-500 265 Disp.-6 Cyl	3057.55	3157.55	30 Days
<u>Liebold</u> Ford V-8	3197.19	3197.19	30-45 Days
<u>Suburban</u> Truck Sales International	3033.00	3133.00	30-40 Days

A motion was made by Mr. Haigler, seconded by Dr. Brooks and approved by the Council to refer the above bids to the Highway and Health and Sanitation Committee for review and recommendation. It was announced that the award for the contract will be made at the May 11 council meeting.

Following a discussion and corrections, a motion was made by Dr. Brooks, seconded by Mr. Palmer and approved by the Council to approve the minutes of March 2, 9, 16, 30 and 31, 1959, as corrected.

Mr. Haigler presented a recommendation from the Highway Committee for the awarding of bids for stone, tar, asphalt, gasoline, fuel oil and motor oil.

A motion was made by Mr. Haigler, seconded by Mr. Rudolph and approved by the Council to award the bids as follows:

	Per Ton H & S	Per Ton At Plant
<u>Penna. #1B Stone Screenings 1/8" to 5/8"</u> Eureka Stone Quarry, Chalfont	\$ 2.05	\$ 1.60
<u>Penna. #2 Stone 3/8" to 1 1/4"</u> Eureka Stone Quarry, Chalfont	1.90	1.45
<u>Penna. #4 Stone 1 1/2" to 4" (Ballast)</u> Eureka Stone Quarry, Chalfont	1.80	1.35
	Dlvd-Ton	Per Ton At Plant
<u>Bituminous Concrete - HE Black Top</u> Eureka Stone Quarry, Chalfont	6.15	5.70
<u>Bituminous Concrete - Cold Mix</u> Eureka Stone Quarry, Chalfont	7.55	7.00
	Hauled & Spread	
<u>DH2 & 3 - Coal and Water Gas Tar</u> Koppers Co., Pittsburgh, Pa.	\$	.215 per gallon
<u>H2 or H3 - Coal and Water Gas Tar</u> Koppers Co., Pittsburgh, Pa.		.215 per gallon
<u>Asphalt Products - Penna. #C-2</u> Marchese Bros., Inc., Norristown		.153 per gallon
<u>Asphalt Products - Penna. #H-1</u> Marchese Bros., Inc., Norristown		.153 per gallon
<u>Asphalt Products - Penna. #BM-1</u> Marchese Bros., Inc., Norristown		.153 per gallon

	<u>Per Gallon</u>
<u>Gasoline</u> Sinclair Refining Co.	Consumer Tank Wagon Less 2.61¢ per gal.
<u>Oil Burner Fuel Oil</u> Superfine Fuels Co.	Posted Tank Wagon Less 2.1¢ per gal.
<u>Motor Oil</u> Sinclair Refining Co.	T.B.T. - 56¢ per gal. in Bbl lots

Mr. Haigler reported that all of the approved changes in street lighting on York Road have been completed and that one light has been installed on the Moreland Avenue parking lot.

One additional 3-way light is to be installed on the Moreland Avenue parking lot as soon as the electric company approves the fixture.

Mr. Haigler reported that the final plans for Horsham Road have been prepared and are available for approval. Mr. Haigler recommended that the plans be approved and that petitions be presented to the county and State for maximum support in financing the improvement. He further reported that sidewalks will be constructed on the south side of Horsham Road from York Road to Academy Road. The cartway will be 34' wide with the legal right-of-way varying. The following ordinance was introduced by Mr. Haigler:

AN ORDINANCE

SURVEYING, LAYING OUT, STRAIGHTENING AND ESTABLISHING THE LINES AND GRADES OF THE CARTWAY OR ROADWAY AND SIDEWALK AREAS OF HORSHAM ROAD BETWEEN YORK ROAD AND THE BOROUGH LINE OF THE BOROUGH OF HATBORO.

The Council of the Borough of Hatboro ordains:

SECTION 1. Horsham Road between York Road and the Borough line in the Borough of Hatboro is hereby surveyed, laid out, straightened and the lines and grades of the cartway or roadway and the sidewalk areas thereof are hereby established in accordance with and as shown on the plans and drawings thereof prepared by Haggerty, Boucher & Hagan, Borough Engineers, entitled "Horsham Road, from York Road, West to Borough Line" and dated April 13, 1959, which are on file in the office of the Secretary of the Borough.

A motion was made by Mr. Haigler, seconded by Mr. Platten and approved by the Council to adopt the following resolution:

RESOLVED, That the foregoing ordinance be submitted for consideration of its adoption at the regular meeting of Council to be held May 11, 1959, at 8 P.M. at Borough Hall, Hatboro; and

FURTHER RESOLVED, That a copy of the said proposed ordinance be published in one of the newspapers of the Borough once a week for three consecutive weeks following the date of the adoption of this resolution and prior to the said meeting of Council on May 11, 1959.

A motion was made by Mr. Platten, seconded by Mr. Palmer and approved by the Council indicating that sidewalks will be constructed on the south side only, from York Road to Academy Road, unless the north side residents agree to forego land damages if sidewalks are installed on the north side.

Following a discussion concerning county and State aid for the project, a motion was made by Mr. Haigler, seconded by Mr. Palmer and approved by the Council to adopt the following resolution:

Commonwealth of Pennsylvania
Department of Highways, Harrisburg

Application for County Aid

TO THE COMMISSIONERS OF MONTGOMERY COUNTY:

WHEREAS, the section of the highway in the Borough of Hatboro, County of Montgomery, Commonwealth of Pennsylvania, starting at a point at York Road and then proceeding West on Horsham Road to the Borough line, being about 2350 feet in length, is in need of reconstruction or repair; and

WHEREAS, The Borough of Hatboro desires to take advantage of Section 905 of the Act approved June 1, 1945, P.L. 1242, 53 P.S., Section 670-905, permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys for the improvement and maintenance of State highways or any public highway, including sidewalk construction, within their proper limits, therefore be it

RESOLVED, That the Borough Council of the Borough of Hatboro in regular session assembled on this 13th day of April, 1959, do on behalf of said Borough hereby petition for County Aid as hereinbefore stated.

Following a discussion concerning the proposed moving and repairing of the battle monument it was agreed that contacts from the Junior Order of United American Mechanics should be made through Dr. Brooks, Public Works Chairman.

Burgess Williams reported that the placing of a crossing guard at the corner of Warminster Road and County Line is being considered by the Public Safety Committee. Chief Tudbridge explained that since the crossing guard usually assigned to the corner of York Road and Horsham Road has been on sick leave the need for covering that crossing has been reconsidered. The moving of this crossing guard to County Line and Warminster Road could be arranged. Mr. Platten questioned the use of borough tax money for the benefit of parochial school children. It was agreed that the assignment of a crossing guard to County Line and Warminster Road would be held up until a decision has been received from the solicitor and considered by the committee.

Burgess Williams presented the recommendation that the appropriation for the traffic signal at Warminster and Byberry Roads be removed from the budget as the type of installation required by the State Highway Department does not meet with the approval of the Public Safety Committee.

Burgess Williams advised that repairs costing approximately \$100 have been made to the police car. The trouble has been traced to defective material by the police chief and arrangements have been made with the manufacturer to cover the cost of the repairs. The police chief was commended for his effort in this matter.

Burgess Williams discussed the requirement in the peddler's ordinance that every operator of ice cream vending trucks be required to have an individual permit. Committee consideration will be given to a revision of the ordinance to allow the permit to be issued for the truck instead of the operator.

Burgess Williams presented the monthly reports for Police Department activities, Building Inspector and the Plumbing Inspector.

The Secretary advised that notice has been received through the State Boroughs' Association that legislation has been introduced in Harrisburg instituting an eight hour - five day week for all police officers in Pennsylvania. Following a discussion and in accord with the recommendation of the State Boroughs' Association a motion was made by Dr. Brooks, seconded by Mr. Platten and approved by the Council to adopt the following resolution concerning House Bill #335, which contains the above provisions.

A RESOLUTION

WHEREAS, House Bill 335, which was introduced in the House of Representatives in Harrisburg, was reported out of the Committee on Municipal Corporations, and

WHEREAS, House Bill #335 would impose a financial hardship on many boroughs due to the necessity of having to hire additional police officers, and

WHEREAS, House Bill #335 would greatly limit locally elected officials in their right to govern local matters, therefore

BE IT RESOLVED, That the Borough Council of the Borough of Hatboro register its opposition to House Bill #335 and further,

BE IT RESOLVED, That copies of this resolution be forwarded to each Representative from Montgomery County, to our State Senator, to the Pennsylvania State Association of Boroughs and to the Montgomery County Boroughs' Association, urging that passage of House Bill #335 be vigorously opposed.

The Burgess advised of a suburban planning conference to be held Thursday, April 30, 1959, at Plymouth Meeting, Pennsylvania. The Council agreed that a member of the Planning Commission should be urged to attend with the cost of the dinner to be paid by the borough.

Mr. Haigler reported that clutch trouble costing \$125 has been encountered in the operation of the refuse collection truck. However, the cost of the repairs will be taken care of by the truck manufacturer.

Dr. Brooks read a letter concerning the provisions of the Civil Service law in connection with the membership and political activity of police department members. He pointed out that application for membership in the local organization has been made by all the members of the police department. Dr. Brooks presented literature from the City of Philadelphia and the Federal government concerning political activity of police department members. Mr. Palmer read several of the provisions from the Hatch Act concerning political activity of government employees. Mr. Rudolph asked for comments from Solicitor Henderson. Mr. Henderson pointed out that engaging in or participating in a political campaign is cause for suspension or dismissal for a police officer under Civil Service. The only activity permitted according to law is the right to register and vote. Mr. Henderson further pointed out that if asked by a police officer concerning membership in a political organization he would recommend that he should not join the organization.

A motion was made by Dr. Brooks, seconded by Mr. Platten, to adopt the following resolution:

RESOLUTION

WHEREAS, the Police Department of the Borough of Hatboro was created and is maintained for the safety and welfare of all residents, regardless of the political affiliations of the residents, and

WHEREAS, the Borough Code, Act of July 10, 1949, P.L. 1621 as amended protects the rights of police officers in Section 1187 - "Discrimination on Account of Political or Religious Affiliation", and

WHEREAS, the Federal Civil Service laws prohibit federal employees from taking active part in political actions or organizations and prohibits them from seeking elected offices, and

WHEREAS, the State Police cannot campaign, carry signs, or buttons, and cannot belong to organizations that are politically inspired, and

WHEREAS, any American has the birthright to express himself at the polls and cast a ballot for the candidate of his choice, and

WHEREAS, the spawning of any political machine is dependent upon the cooperation and control of the law enforcing department of a community, and

WHEREAS, the local Police Department in the past has refrained from joining political organizations and recently every officer submitted an application for membership in a political organization, and

WHEREAS, the payment of dues and carrying of a membership card may be construed as active participation in political fields -

BE IT RESOLVED, That the Borough Council of the Borough of Hatboro voices its objection to such practices, and, having complete confidence in the integrity of its Police Department - respectfully requests the Department and its Officers to reconsider their action - not from a legal standpoint - but from a moral standpoint and remain neutral in the political arena. The Borough Council also respectfully requests the Officers to withdraw their names as members of any political organization.

Mr. Palmer suggested a substitute resolution pointing out that in view of the provisions of the borough code that the members of the Police Department be asked to reconsider their action.

The Secretary read an opinion received from Attorney Therman Britt, Solicitor for the F.O.P., advising that dues paying to a political organization was not a violation of the Civil Service law.

After expressing his opinion that the above resolution was too strongly worded a motion was made by Mr. Palmer, seconded by Mr. Haigler to amend the above resolution to read:

RESOLVED, That the Borough Council calls to the attention of each member of the Police Department, Section 1184 of the Borough Code and expects each member to conduct himself accordingly.

"SECTION 1184. REMOVALS.--No person employed in any police or fire force of any borough shall be suspended, removed or reduced in rank except for engaging or participating in conducting of any political or election campaign otherwise than to exercise his own right of suffrage."

The vote on the above motion was: For--Messrs. Palmer, Jones; Against--Messrs. Platten, Brooks, Haigler and Rudolph. The motion was declared defeated.

Treasurer Gintowt entered the meeting at this time.

Following a discussion a motion was made by Mr. Rudolph, seconded by Mr. Haigler, that the amendment proposed by Mr. Palmer be substituted for the last sentence of the first resolution which would result in the adoption of the following resolution:

RESOLUTION

WHEREAS, the Police Department of the Borough of Hatboro was created and is maintained for the safety and welfare of all residents, regardless of the political affiliations of the residents, and

WHEREAS, the Borough Code, Act of July 10, 1947, P.L. 1621 as amended protects the rights of police officers in Section 1187 - "Discrimination on Account of Political or Religious Affiliation", and

WHEREAS, the Federal Civil Service laws prohibit federal employees from taking active part in political actions or organizations and prohibits them from seeking elected offices.

WHEREAS, the State Police cannot campaign, carry signs, or buttons, and cannot belong to organizations that are politically inspired, and

WHEREAS, any American has the birthright to express himself at the polls and cast a ballot for the candidate of his choice, and

WHEREAS, the spawning of any political machine is dependent upon the cooperation and control of the law enforcing department of a community, and

WHEREAS, the local Police Department in the past has refrained from joining political organizations and recently every Officer submitted an application for membership in a political organization, and

WHEREAS, the payment of dues and carrying of a membership card may be construed as active participation in political fields -

BE IT RESOLVED, That the Borough Council of the Borough of Hatboro voices its objection to such practices, and, having complete confidence in the integrity of its Police Department - respectfully requests the Department and its Officers to reconsider their action - not from a legal standpoint - but from a moral standpoint and remain neutral in the political arena. The Borough Council also calls attention of each member of the Police Department to Section 1184 of the Borough Code and expects him to conduct himself accordingly.

"SECTION 1184. REMOVALS.--No person employed in any police or fire force of any borough shall be suspended, removed or reduced in rank except for engaging or participating in conducting of any political or election campaign otherwise than to exercise his own right of suffrage."

The vote on the motion was: For--Messrs. Platten, Brooks, Haigler, Rudolph, Jones; Against--Mr. Palmer.

Mr. Palmer explained his vote as being opposed to the contents of the "Whereas" paragraphs.

Dr. Brooks reported that the Park Board hopes to make several changes at the pool and that memberships will go on sale May 1, 1959. The Public Works Committee will hold a meeting for the final decision on the opening date.

Mr. Palmer discussed a rough draft of the report to the residents, copies of which have been distributed to councilmen. He asked that the committee chairmen review the report and make changes or additions as needed. The copies should be returned to him by April 20 so that the final copies can be prepared.

Mr. Palmer indicated that advice had been received from Paul Rosenbaum and Associates that a firm price of \$400 would cover the survey for a pension program for the borough employees. It was agreed that Mr. Rosenbaum should be advised to proceed with the survey on approval of the budget.

Mr. Rudolph presented the report of the Assistant Health Officer for March.

Mr. Rudolph discussed the provisions of the proposed ordinance covering the collection of rubbish in the Borough. Due to several changes being made a motion was made by Mr. Platten, seconded by Mr. Haigler, to table action on the ordinance until the May meeting. The vote on the motion was: For--Messrs. Platten, Haigler, Jones, Palmer; Against--Messrs. Brooks and Rudolph.

Mr. Platten, reporting for the Finance Committee, advised that the cash balance after payment of current bills will be \$16,124.25. He further indicated that no borrowing will be needed until after the May meeting. With the income of pool memberships and if the purchase of the truck and police car is deferred until September it may not be necessary to borrow as tax income begins at that time.

Mr. Haigler pointed out that the savings resulting from the cancellation of the dump at the sewer plant would more than offset the cost of borrowing to purchase the refuse truck.

Mr. Platten discussed in detail several changes to be made to the proposed budget. He also advised that the Enterprise Fire Company has rejected the matching plan for the fire company appropriation and read a letter from the fire company indicating a request for an outright appropriation of \$8500. Mr. Platten recommended that consideration be given to the adoption of a one mill tax for the fire company.

Mr. Platten recommended that a tape recorder be obtained for the Zoning Board of Adjustment hearings. Burgess Williams advised that the Police Department expects to receive a tape recorder as a gift from a local merchant in a short time.

A motion was made by Mr. Platten, seconded by Mr. Palmer that Council expresses its opinion in favor of the adoption of a one mill tax for the fire company to purchase fire apparatus. The vote was-- For: Messrs. Platten, Palmer, Haigler, Brooks and Rudolph; Against--Mr. Jones.

Mr. Aiman, Fire Chief, expressed the opinion of the fire company against a separate tax as it would have an unfavorable effect upon the success of the membership drive. A definite appropriation of any amount would be preferred to a separate fire tax.

A motion was made by Mr. Platten, seconded by Mr. Palmer and approved by the Council to adopt the following resolution containing the budget for the year 1959.

BUDGET RESOLUTION

BE IT RESOLVED by the Council of HATBORO Borough;

That, having complied with the legal requirements, the annual budget as set forth in the Budget Form AB, on file in the office of the Borough Secretary, is hereby adopted:

That for the expenses of the Borough for the fiscal year 1959 the following items are hereby appropriated from the revenues available for the fiscal year for the following specific purposes, thereby constituting the necessary appropriation measure to put the budget into effect:

GENERAL OPERATING FUNDS
Estimated Receipts

Cash and securities for appropriation	\$	50,209.22	
Receipts from current tax levy.....		123,000.00	
Receipts from taxes of prior years.....		5,500.00	
Receipts from miscellaneous revenue sources..		65,450.00	
Receipts from non-revenue sources		600.00	
TOTAL ESTIMATED RECEIPTS AND CASH			244,759.22

Appropriations

	Operation & Maint.	Capital Outlay	
General Government			
Administration	\$ 17,375.00	625.00	
Tax Collection	1,150.00		
Borough buildings or offices...	8,300.00	2,000.00	
Total	\$ 26,825.00	2,625.00	29,450.00
Protection to Persons and Property			
Police.....	55,010.00	3,200.00	
Fire.....	2,100.00	8,200.00	
Building regulation, planning & Zoning	5,775.00	--	
Total.....	62,885.00	11,400.00	74,285.00
Health and Sanitation			
Board of Health.....	2,275.00		
Garbage collection & disposal)			
Ash & rubbish collection &)			
disposal.....)	14,400.00	7,500.00	
Total.....	16,675.00	7,500.00	24,175.00
Highways			
Streets and bridges.....	27,525.00	21,364.22	
Street lighting.....	11,000.00		
Total.....	38,525.00	21,364.22	59,889.22
Recreation			
Parks and playgrounds.....	3,800.00	1,500.00	
Shade Trees.....	150.00		
Swimming pools.....	14,185.00	7,300.00	
Total.....	18,135.00	8,800.00	26,935.00

Miscellaneous			
Total.....	\$12,125.00		\$ 12,125.00
Total for Operation, Maintenance and Capital Outlay	175,170.00	51,629.22	226,853.22
Debt Service			
Interest			
On temporary loans			400.00
On bonds or notes			2,500.00
Total Interest (Paid directly from General Fund).....			2,900.00
Principal			
Bonds and notes retired			15,000.00
Total Principal (Paid directly from General Fund).....			15,000.00
GRAND TOTAL APPROPRIATIONS--GENERAL OPERATING FUNDS.....			<u>244,759.22</u>

That any resolution or part of resolution conflicting with this resolution be and the same is hereby repealed insofar as the same affects this resolution.

I hereby certify that the foregoing resolution is a true and correct copy of the Resolution passed by the Borough Council this 13th day of April, A.D. 1959.

A motion was made by Mr. Haigler that the tax rate be established at 13 mills for general purposes and one mill for fire tax. There was no second to this motion.

Mr. Palmer presented his objections to the lack of expenditures for road and project improvements in the borough. He pointed out the apparent savings are wasted on constant repairs to old roads.

Following a discussion a motion was made by Mr. Platten, seconded by Mr. Palmer to adopt the following ordinance:

ORDINANCE NO. 325

AN ORDINANCE OF THE BOROUGH OF HATBORO, COMMONWEALTH OF PENNSYLVANIA, FIXING THE TAX RATE FOR THE FISCAL YEAR 1959.

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Council of the Borough of Hatboro, Commonwealth of Pennsylvania:

SECTION 1. That a tax be and the same is hereby levied on all property and occupations within the said Borough subject to taxation for Borough purposes for the fiscal year 1959, as follows:

Tax Rate for general Borough purposes, the sum of 14 mills on each dollar of assessed valuation,

For other purposes, as follows:

To contribute to the purchase of fire apparatus by the fire company - 1 mill on each dollar of assessed valuation;

Making a total tax rate for all Borough purposes of 15 mills.

SECTION 2. That any ordinance, or part of ordinance, conflicting with this ordinance be and the same is hereby repealed insofar as the same affects this ordinance.

The vote on the motion was: For--Messrs. Brooks, Rudolph, Palmer, Platten; Against--Mr. Jones and Mr. Haigler. Mr. Jones explained his vote as opposition to the separate fire tax.

Mr. Platten advised that a proposal has been received from Messrs. Kauffman and Santerian offering a parcel of ground for lease to the borough at the rear of the proposed new post office, north of Moreland Avenue and York Road, with the provision that the borough improve and operate it as a free parking lot. The proposal was referred to the Highway Committee with the request that a plot plan be obtained for the ground to be leased. ✓

Engineer Haggerty advised that curb stakes have been set at the apartment house project at York Road and Madison Avenue.

Mr. Henderson advised that he cannot be present at the May meeting and would send a substitute if directed.

Mr. Platten reported that the Ordinance Review Committee had met on April 6 and had reviewed all traffic control and parking ordinances.

There was a discussion concerning the construction of the commuter parking lot at the rear of the Eleanor Court apartment house. A motion was made by Mr. Jones, to adopt an ordinance to prohibit commuter parking on all streets north of Montgomery Avenue and east of Jacksonville Road between the hours of 8 A.M. and 6 P.M. There was no second to this motion.

Burgess Williams recommended that a meeting be held with the Hatboro School Board to propose that the Loller School building be preserved and given to the borough to be used as a community building. The proposal was referred to the Public Works Committee.

The following bills were presented for payment by the Secretary and approved by the Council:

<u>Vo.#</u>	<u>Vendor</u>		\$
117	Bernie Shay's Hatboro Manor		331.25
118	Philadelphia National Bank		450.00
119	Internal Revenue Service		724.40
120	Comm. of Penna., S.S. Contribution Fund		697.59
121	James Craig		46.99
122	Cameron's Sanitary Landfill		174.00
123	C & C Supply Co., Hatboro		12.95
124	Jim Banes Ford, Inc.		49.20
125	Bearings, Inc.		5.25
126	M. A. Bruder & Sons		29.46
127	Bell Telephone Co. of Penna.		234.10
128	American Machine & Tool Co.		16.17
129	T. A. McClurken, Petty Cash		22.65
130	John J. Gintowt		187.50
131	T. A. McClurken		70.00
132	W. Z. Dudbridge, Police Chief		5.00
133	Accounting Adjustment	--	
134	Worstall Stationery Co.		38.02
135	Wise Distributing Co.		18.00
136	J. Alvin Wolverton		26.00
137	Upper Moreland-Hatboro Joint Sewer Auth.		9.24
138	R. L. Stott Co.		144.67
139	Ditto		33.55
140	Smith Chevrolet Co.		5.63
141	Sargent-Sowell, Inc.		12.88
142	Philadelphia Electric Co.		897.61
143	Philadelphia Electric Co.		12.10
144	Ditto		22.72
145	Markovich Auto Parts		5.12
146	Montgomery County Boroughs' Assn.		20.00
147	Treasurer, Montgomery County		1.42
148	Mixing Equipment Co., Inc.		14.00
149	Magee-Hale Park-O-Meter Company		15.45
150	Geo. J. Mayer Co., Inc.		59.25
151	The Kelly-Springfield Tire Co.		145.10
152	Postmaster-Hatboro		99.20
153	Jamison & Carrell		2.20
154	I. M. Jarrett		13.20
155	Hatboro Office Supply Co.		28.00
156	Ballard, Spahr, Andrews & Ingersoll		500.00
157	Hatboro Borough Authority		5.50
158	Ditto		506.25
159	"		563.14
160	Hatboro Hardware		4.97
161	Hatboro Lumber & Fuel Co.		36.80
162	Galer & Hults, Inc.		21.15
163	General Crushed Stone Co.		278.33
164	Fidelity Companies		19.94
165	Erwin Printing, Inc.		27.15
166	Eureka Stone Quarry, Inc.		14.78

167	Kureka Stone Quarry, Inc.	\$ 50.65
168	The Intelligencer Co.	61.50
169	W. A. Bruder & Sons	5.03
170	Lou's Lunoco	4.00
171	R. T. Stott Co.	156.40
171A	Philadelphia National Bank, Trustee	464.62

A motion was made by Mr. Palmer, seconded by Mr. Platten and approved by the Council to adjourn at 11:58 P.M.

Thomas A. McOlurken
Secretary

Hatboro, Pa.
April 21, 1959

A special meeting of the Borough Council was held in the Municipal Building on the above date to conduct a public hearing in connection with the petition received from John and Teofila Gniewek, requesting a change in zoning classification for the property located at the southeast corner of County Line Road and York Road, consisting of approximately five acres from Residential C and Residential A to Retail zoning classification.

The meeting was called to order at 8:15 P.M. by President Jones with the following present: Councilmen Platten, Brooks, Jones, Haigler, Palmer, Rudolph, Newcomb; Burgess Williams, Solicitor Henderson, Treasurer Gintowt and approximately 75 residents.

The Secretary read the petition for the zoning change and the newspaper advertisement.

Councilmen Haigler advised that in this case he is both a councilman and an adjoining property owner. He also pointed out that he has not been approached by either the property owner or the developer in connection with the proposed project. Mr. Platten expressed his opinion that Mr. Haigler should participate in the discussion and hearing and also cast his vote. He further pointed out that Mr. Haigler has no interest in the property or proposed development, that his participation is not a violation of law, morals or ethics and that as a councilman he is obliged to take part in the hearing. Dr. Brooks pointed out that at a previous meeting Solicitor Henderson had been questioned concerning the legality of Mr. Haigler taking part in the hearing. Mr. Henderson pointed out that there is nothing in the law to prohibit Mr. Haigler from voting on this issue.

A motion was made by Mr. Platten, seconded by Mr. Rudolph to express the wish of Council that Mr. Haigler take part in the hearing and to vote as he sees fit after the facts have been presented. The vote on the motion was as follows: In favor-- Messrs. Platten, Brooks, Jones, Rudolph, Newcomb and Palmer. Mr. Haigler abstained from voting on this motion.

Mr. Jones called on Mr. Houpt, representing the petitioners, to present the facts concerning the proposed zoning change.

Mr. Houpt introduced Mr. Jack Frant the purchaser and developer of the proposed project. Mr. Houpt also advised that the measurements shown in the petition should be corrected to indicate that the frontage on County Line Road is approximately 650 feet and the frontage on Old York Road is 525 ft..

Mr. Houpt introduced Mr. Gniewek who advised that he and Mrs. Gniewek are the present owners of the property in question, that they reside on the property, that the residence is used as

a rooming house and that they have lived in Eatboro for 14 years.

Mr. Gniewek advised in reply to a question from Mr. Platten that at the present time there are four or five roomers at the house.

Mr. Houpt introduced Mr. Edwin Gniewek, son of John Gniewek, who described the conditions surrounding the property. He pointed out that across County Line to the north there is a drug store and grocery store with a motor repair shop adjoining to the north. He further pointed out that on the northwest corner of the intersection a grocery store is operated. The southwest corner of the intersection is occupied by a gasoline station with a residence previously used as a real estate office, a builder's office, a church and apartment house occupying the properties across York Road running from County Line south. He further pointed out that on the east side of York Road, south of the property in question, there are two apartment houses, a photographer's shop, an antique shop, and a medical center. On the south side of County Line, east of the property in question, at the corner of County Line and Madison Avenue, there is a beauty shop. Mr. Edwin Gniewek further pointed out that he resides at 1103 Wayland Avenue, Cornwell Heights, Pennsylvania.

Mr. Platten stated that the real estate office referred to on the west side of York Road ceased to be used as a real estate office several years ago. Mr. Haigler pointed out that the change of use was made at the request of the Zoning Board of Adjustment.

Mr. Platten questioned whether there were any curbs or sidewalks presently installed on the property and was advised that there were none.

Mr. Houpt discussed the plans submitted with the petition and advised that the measurements used were the side lines of the roads and that the descriptions were taken from three or four deeds. The exact measurements were difficult to obtain due to the descriptions in the deeds.

In response to a question from Mr. Platten concerning the square foot area of the complete property, estimated at 237,000 sq. ft. by Mr. Frant, Mr. Houpt indicated that this item had not been accurately computed. Mr. Platten recommended that an engineer compute the area for the record. Mr. Houpt further pointed out that the exact square foot area could not be computed as the final width of County Line is not known. However, Mr. Houpt indicated that an engineer's survey, less the rights-of-way, will be furnished for the Council.

Mr. Haigler pointed out that the figures shown on the plan submitted with the petition are the measurements to the center lines of both streets. The taking of ground for the widening of County Line Road would result in a great loss of square foot area.

Mr. Houpt pointed out that the owners will agree to dedicate the needed area for the widening of the streets, to install curbing on all street sides and to dedicate the necessary ground to provide a proper radius at the corner. In giving the ground for the widening of County Line Road it may be necessary that an exception or variance may be needed in connection with the parking requirement. The petitioners' engineer claims that under the present property lines sufficient parking can be provided. Mr. Haigler pointed out that with the widening of County Line, 48 parking spaces will probably be lost. Mr. Houpt agreed that a plan will be plotted to show the proper widths for both York Road and County Line Road.

Mr. Houpt introduced Mr. Jack Frant of 8 Lawson Lane, Great Neck, New York, who is the builder and developer of the project. Mr. Frant pointed out that two stores will be constructed. One will be a food market of the supermarket type, to be operated by one of the national chain stores; the other store will be a W. T. Grant store. The location of the buildings will be exactly as indicated on the plans submitted with a set-back of approximately 50 to 75' from the curb line, or 43' after the installation of the sidewalk. Rails or curbs will be installed to indicate entrances and exits for cars. The actual setback is not definite due to the grade variations of the property. The supermarket building will consist of 20,000 square feet with 14,000 square feet to be used for store sales area. The Grant store will have 26,000 square feet on the first floor with 24,000 feet used as store sales area. An additional 6,000 feet will be furnished on the mezzanine for stock, storage and rest-room uses. The front of the buildings will be of white glazed brick to blend with the orange colored Grant company sign. The sidewalls on York Road will be of brick and block construction. The general policy of the builder is to favor local contractors and local help. Union help will be employed as this area is a definite Union area. Mr. Frant further pointed out that the food market would probably employ 30 to 45 employees with the Grant store to employ 75 to 85 employees. The total value of the buildings and land is approximately \$350,000. The buildings will be completely air conditioned. The two stores will actually be one building with a plate glass wall installed in the center to make two stores.

In response to a question from Mr. Platten concerning the disposing of surface water, Mr. Frant indicated that a sump pit would be installed on the property. He further indicated that State plans indicate that storm drains are available in the vicinity. Mr. Frant advised that the builders are prepared to start construction immediately upon approval from Council for the zoning change.

Mr. Platten indicated that he would prefer to have more definite plans presented before deciding the zoning change. Mr. Frant advised that engineering details are not at this time available and are not usually presented until the zoning problems are cleared up.

Mr. Houpt recommended that Council approve the zoning change pending receipt of complete engineering plans. Mr. Frant advised that the State will require that all drainage be taken care of by the builder. He also indicated that he is willing to abide by the requirements of the Borough and the State in the construction and operation of the shopping center.

Following a question from Mr. Platten concerning the property line clearance, Mr. Frant indicated that the building would be 30' from the south property line and 175' from the east property line. Screening would be available if required. Final placement of the building has not been definitely decided at this time.

Mr. Haigler recommended that a property plan be furnished showing the amount of parking available before Council approves the change. Mr. Platten suggested that the creation of a new zoning area might be a possible solution to the problem. Concerning the parking required Mr. Frant advised that his organization figures 280 to 290 square feet per car parking space. Mr. Frant advised that the radius at York Road and County Line, after approval by the State and the Borough, will be dedicated to the Borough. He also pointed out that no sidewalks are planned for the property.

In response to a question from Mr. Platten, Mr. Frant advised that similar developments have been constructed by him or his company in Titusville and Meadville, Pennsylvania; Clifton and Audubon, New Jersey. It was further indicated by Mr. Frant that signs would be installed flat on the buildings with possibly a corner sign installed on a pylon.

Mr. Palmer questioned if Mr. Frant would sign an agreement with the Borough requiring the erection of the buildings as indicated on the plan if the zoning change is granted. Mr. Frant indicated that such an agreement could be signed.

Mr. Haigler recommended that a new plan be drawn up using the new street widths for County Line Road and York Road, that the buildings be plotted, and that the available parking space be computed. Mr. Frant objected to the taking of the ground on County Line Road and also requiring compliance to the parking requirements of the Zoning Code.

Mr. Haigler pointed out the great difference in grade on the property in question. Mr. Frant indicated that he has assumed that the State roads are the actual final grades and that the plans are to be made to eliminate the running of rain water out of the property onto the State highways.

Mr. Haigler expressed his amazement at the errors in the plan submitted. Mr. Frant pointed out that the Borough plans may not be completely accurate or up-to-date.

Mr. Jones called on the residents present to express their views concerning the proposed zoning change.

Rev. Kaelberer, 457 Crescent Road, pastor of the St. John's Lutheran Church, presented his objections to the granting of the zoning change and indicated that the majority of the residents in the area desired that the property remain zoned Residential.

Mr. Edward Tinder, 8 James Road, objected to the change and requested that the property be retained as residential.

Mr. Troxell, 6 James Road, objected to the zoning change due to the large amount of traffic and trucks, as presenting a hazard to the residents and children of the area.

Fred Groshens, 120 Williams Lane, expressed his opinion in favor of the zoning change due to the increase in tax income to the borough and school districts. A potential tax income of \$4700 per year would result from the construction of the project.

Mr. Barnhardt, 397 Wilson Road, objected to the change in zoning.

Mr. Walman, 417 Madison Avenue and Mr. Parke, 419 Madison Avenue, objected to the change and recommended it remain residential.

Mrs. Jones, 7 James Road, recommended that it be retained as residential and favored paying higher taxes if necessary.

Mrs. Casey, 26 James Road, presented her objections to the change in zoning and pointed out that seasonal traffic through the York Gardens section during the baseball season presented a great hazard to the residents. Additional commercial development in the vicinity would greatly increase the hazard.

Mr. Godshall, 236 E. County Line Road, indicated his objections to the change in zoning.

Mr. Hanson, 13 Norwyn Road, objected to the change in zoning.

Mr. and Mrs. Kline, 13 James Road, objected to the change in zoning and recommended that Residential zoning be retained.

Mr. and Mrs. Finlay, 5 Belmar Road registered their objections to the change in zoning.

Mr. Gleiter, 42 Home Road, indicated his objections to the change in zoning. He indicated that nothing definite had been presented by the developer and objected to being required to come to the Council hearings so many times over a ten year period concerning proposals of zoning changes in the north York Road area. He also indicated that the granting of this change would begin creeping commercialism south on York Road.

Councilman Palmer raised the question as to whether the

residents favored the bringing of new business and commercial enterprises into Hatboro. He recommended that residents, in presenting objections to the zoning change, indicate whether they favor paying higher taxes instead of increasing the present commercial area. Mr. Gleiter indicated that he would be willing to pay higher taxes if the residential areas are retained.

Mr. Blum, 168 Earl Lane, questioned the entering and exiting of cars from the proposed commercial center as a traffic hazard. He also questioned the solving of the storm drainage problem in the area.

Mr. Wonderly, 24 Edward Road, questioned the storm drainage problem and indicated that he would be willing to pay higher taxes to retain the residential area.

Mr. and Mrs. Neubuck, 20 Edward Road, indicated their objection to the zoning change and advised that they would be willing to pay higher taxes if necessary.

Mr. DeCoursey, 14 James Road, indicated his objection to the zoning change.

Mr. Walter Klink, 15 Barbara Road, objected to the change in zoning.

Harry Klink, 15 Edward Road, objected to the zoning change and indicated that he would be willing to pay higher but not double taxes to retain the residential area.

Mr. Devlin, 8 Belmar Road - Mr. Herschler, 9 Edward Road - Mr. Cooper, 7 Edward Road - Mr. Barker, 23 James Road - Mr. Eagleson, 505 North York Road - Mr. Dardis, 18 Edward Road - Mr. Fielder, 12 Edward Road - Mr. Krueger, 14 Home Road, Mr. Phillips, 31 Barbara Road and Mr. Smith, 63 Williams Lane, all expressed their objections to the change in zoning and Messrs. Eagleson, Dardis, Phillips and Smith indicated that they would be willing to pay higher taxes if necessary.

Mr. Ralph Stephany, 340 Warren Road, advised that he hears many people favor the building of the commercial area in Hatboro but all object to locating it near their residential property. If the property in question were used for residential purposes the school tax burden would greatly increase. Mr. Stephany favored the increase of the commercial area and the development of it in order to keep taxes down.

Mr. Berlin, president of the Hatboro Business Men's Association, presented his objection to the proposed zoning change and welcomed the proposed tenants to locate in the present commercial area. Mr. Bilse, 230 N. York Road, indicated that taxes are increasing over the years and questioned why there should be an increase with the reported surplus of \$40,000. He also questioned

the name of the builder for the development. Mr. Houpt advised that Jack Frant will be the builder of this development.

A question was raised from the audience concerning the procedure in placing of sidewalks in the Borough. If the proposed zoning change is granted, sidewalks may be required in many areas. Mr. Jones explained the procedure of the placing of sidewalks and indicated that the installation of sidewalks may be needed this year in the vicinity of the elementary schools.

Mr. Curnow, 7 Mill Road, objected to the zoning change and indicated that the dollar gain in taxes is not the primary issue. The moral and ethical issue to protect the residents in the immediate area is more essential. Commercial development of the York Road area at either end of the town would greatly detract from the present center commercial area. He also favored prompt consideration of the development of the presently unused commercial area in the center of town.

Mr. Jones questioned the residents present and asked if the development of the Garner property and surrounding area would possibly require a one mill tax increase per year, would the residents be willing to approve such a plan. The show of hands indicated that 90% of those present would agree to such a tax increase.

Mr. Massimilla, 229 North York Road, indicated that most residents would favor development of the present commercial area before creating any new commercial area.

Mr. Platten stated that the owners of the former Garner property could develop their area but indicated that a north York Road area appears to be more attractive. He also expressed the opinion that the former Garner property area is a separate problem and appears to be a "white elephant".

Mr. Frattone objected to the former Garner property being called a "white elephant" and indicated that there is much more to the open area than merely the former Garner property. He also stated that a small investment by the Borough would enable the area to be profitably developed.

Mr. Hanson of 13 Norwyn Road advised that he had purchased property in Hatboro due to low taxes and that even though taxes have increased he preferred to stay in the Borough. If zoning changes such as the one proposed are approved he may prefer to move elsewhere.

Mr. Haigler indicated that the plan for the development of the Gniewek property is the first development plan for the north York Road area that has been presented which has reached the "Sale Agreement" stage and does not require a subsidy from the Borough. He indicated that he has prepared a list of questions concerning the development which he would prefer to have answered by the

developer. Following a discussion it was agreed that copies of the questions would be circulated to all the councilmen so that answers may be obtained. Copies will also be furnished to the developer.

Noting that all had been given the opportunity to express their opinion in the proposed zoning change, a motion was made by Mr. Palmer, seconded by Mr. Flatten and approved by the Council to adjourn the meeting at 11:15 P.M.

Thomas Q. McClurken
Secretary

Hatboro, Pa.
May 11, 1959

The regular meeting of the Borough Council of the Borough of Hatboro was held in the Municipal Building on May 11, 1959.

The meeting was called to order at 8:10 P.M. by President Jones with the following present: Councilmen Platten, Brooks, Jones, Haigler, Rudolph, Newcomb, Palmer; Burgess Williams, Engineer Haggerty, Solicitor O'Hey, 10 residents and 3 press representatives.

The invocation was given by Burgess Williams.

The agenda for the meeting was reviewed by President Jones and questions were invited from the audience.

After reviewing the minutes of previous meetings held on April 13 and April 21, 1959, a motion was made by Mr. Platten, seconded by Mr. Palmer and approved by the Council to accept the minutes as corrected.

Mr. Newcomb presented the subdivision plan received from Harold Kushin covering the division of the former Brink property at County Line Road and the Reading Railroad. The proposed subdivision has already been approved by the Borough Planning Commission. Mr. Newcomb recommended that the turn-around at the end of the private street be constructed on a 60' radius instead of 50' as shown on the plan. The installation of curbs on the private street and on County Line Road was also discussed. Mr. Kushin did not recommend the widening of County Line Road and the installation of curbs on County Line Road at this time as a driving hazard would be created at the railroad crossing. Mr. Klein of the Planning Commission advised that the Planning Commission had not considered the need of curbs or the widening of the road. Mr. Jones indicated that there are hopes and plans for the extensive widening of County Line Road and acknowledged that the State has not prepared grade plans for the road. Mr. Palmer indicated that in line with previous decisions of Council concerning the installation of curbs that Council has not required curbs in isolated cases. Mr. Haigler reviewed the existing curbs from Warminster Road to Jacksonville Road and expressed the opinion that the developer should provide the curb installation. Mr. Platten recommended that the location of the curb should be indicated on the plan but that the actual installation of the curb and the widening of the road should be held up until approved plans are received from the State Highway Department.

Following a discussion a motion was made by Mr. Newcomb, seconded by Mr. Haigler and approved by the Council to vote approval of the subdivision plan of Harold Kushin for the former Brink property at County Line Road and the Reading Railroad with the provision that the following requirements be entered on the plan as conditions of approval:

1. Curbing will be installed on the private street and turn-around when the permanent location of the buildings has been determined and constructed.

2. That a minimum of two fire hydrants shall be installed, one at the entrance at County Line Road and second at the south end of the turn-around.

3. Sidewalks and curbs are to be installed on County Line Road when the grades are established by the State Highway Department.

4. The legal width of the right-of-way for the private street shall be 46'.

5. The paved cartway of the private street shall be 30' wide.

6. The owner shall furnish engineering plans showing water, sewer and all utility installations to the Borough.

7. The turn-around shall be constructed with a 60' inside radius.

8. The radius for the corners of the private street at County Line Road shall be at a minimum of 30' on the property line.

9. That the first plan presented by the owner, which had been previously approved by the Planning Commission, is hereby disapproved.

10. That the ground necessary for the widening of County Line Road and the installation of the radiuses for the private street shall be dedicated to the Borough at no cost to the Borough.

11. That a complete and finished plan shall be furnished with all dimensions shown.

12. That the construction of the private street and turn-around shall include an 8" stone base with a 2" blacktop surface.

13. That the owner will leave a strip 70' wide on the western part of his ground unoccupied.

14. That the owner agrees that all building walls facing Mitchell Park to the west, facing County Line to the north and facing on the private road should be constructed of brick.

15. That the owner agrees to plant three rows of Scotch Pines to serve as a screen on the western boundary of his property.

Mr. Newcomb presented a letter from the Borough Planning Commission recommending that the proposed change in zoning for the Gniewek property, York Road and County Line Road, be denied.

Following a discussion a motion was made by Mr. Platten, seconded by Mr. Palmer, and approved by the Council to table action on the zoning change of the Gniewek property until the June Council meeting. Answers to the questions proposed by Mr. Haigler and the filing of a revised plan showing the distribution of parking on the property are expected to be received from the developers.

Mr. Newcomb advised that nothing new has been reported in the construction of the parking lot at the rear of the Eleanor Court Apartments, Byberry Road and the Railroad.

Burgess Williams reporting for the Public Safety Committee advised that a committee meeting had been held and the recommendation was presented that the award for the purchase of a new second police car be made to Jim Baner Ford, Inc. at a price of \$2,196.92. Mr. Newcomb questioned if the Public Safety Committee is giving consideration to the adding of another policeman to the police force. It was noted that during approximately 20% of the time only one officer is on duty in the Borough. Mr. Platten advised that a recommendation will be made that the Civil Service Commission conduct an examination to establish an eligibility list for the Police Department. Dr. Brooks advised that plans for the operation of two cars are being formulated and will be ready before the cars are put in service.

A motion was made by Dr. Brooks, seconded by Mr. Jones and approved by the Council to award the bid for the furnishing of a new 1959 four door sedan police car to Jim Baner Ford, Inc. of Hattboro at a price of \$2,196.92 in accordance with the bid of April 13, 1959.

Mr. Haigler pointed out that due to the careful preparation of the specifications nine bids were received for the above car.

A motion was made by Mr. Platten, seconded by Mr. Haigler and approved by the Council to direct the Civil Service Commission to conduct an examination for the position of patrolman in order to establish an eligibility list for the Police Department.

Burgess Williams presented the reports of the Plumbing Inspector, the Building Inspector and the Police Department activity report for the month of April.

Burgess Williams reported that at a recent meeting of the Montgomery County Boroughs' Association emphasis had been given to the obtaining of park ground at the earliest possible date as ground costs are increasing every day. Burgess Williams also discussed a bill now pending in the legislature which would permit Borough Councils to recall ordinances which have been voted approved but not yet signed by the Burgess.

Burgess Williams advised that concerning the possible use of the Loller school building as a community building, he had con-

tacted the School Board and had received a reply dated May 5, 1959, inviting representatives to attend a regular School Board meeting to further discuss possible use of the building.

Dr. Brooks reporting for the Public Works Committee, advised that playground equipment had been installed in the Hatboro Park and that a sliding board is on order for installation at the swimming pool.

Concerning repairs or moving of the battle monument, Dr. Brooks reported that no further report has been received.

Dr. Brooks presented a petition signed by 17 residents of Crescent Road urging the replacement of the street light which had been removed recently. Mr. Hiigler pointed out that with the installation of a brighter light at York Road and south Crescent Road the use of a 3-way reflector would eliminate the need for a light up Crescent Road.

Following a discussion a motion was made by Dr. Brooks, seconded by Mr. Haigler and approved by the Council to authorize the replacing of the street light on Crescent Road after investigation has been made by the Highway Committee.

Dr. Brooks presented the following recommendation concerning the approval of an appropriation for the Union Library of Hatborough.

"The Borough Council has justifiably seen fit to appropriate funds as contributions to the S.P.C.A., the Visiting Nurse Society, the Fire Company with the full knowledge that these groups or agencies are rendering a service or services to our community and deserve support from the governing body.

I feel that the library of Hatboro is rendering an invaluable service to our community and that the Borough is fortunate in having such an institution and that it deserves financial support from our body.

It is the unanimous decision of the Public Works Committee that a sum of money be contributed to the Union Library of Hatboro and the Committee agrees that \$500.00 should be appropriated.

There are over 2300 active children's cards in the file and plans call for the addition of school age research books and the possibility of a reading room for children. It should be understood that this sum is being appropriated and that a similar amount may not be contributed each year, but because the oversight has existed for years - the sum under consideration was thought to be equitable under our budget.

The Finance Committee is also in unanimous agreement that this project is worthy of consideration and agrees that the appropriation is within our budget limits."

A motion was made by Dr. Brooks, seconded by Mr. Haigler and approved by the Council to adopt the following resolution to transfer an amount of \$500 from Budget Account 41-Q, Construction and Rebuilding of Streets, to Budget Account 51, Appropriations to Libraries.

RESOLVED, That the sum of \$500 be transferred from Budget Account #41-Q, Capital Outlay - Construction and Rebuilding of Streets, to Budget Account #51, Appropriations to Libraries.

Mr. Palmer reporting for the General Administration Committee advised that an invoice received from Miller & Cornell, Inc. covering the liability insurance coverage for the Borough, which had increased 50% over the previous period, had been investigated in detail through Mr. Walter Schmidt and had been approved for payment at this meeting. A five-fold increase in the sidewalk liability insurance rate and the increase in coverage limits for the Borough accounts for the majority of the amount of increase.

Concerning the survey being made by Paul Rosenbaum and Associates for the Pension Plan for Borough employees, it was advised that no report has been received from Mr. Rosenbaum.

Mr. Palmer reported that the Report to the Residents is now in the final stages of preparation and that reports from several Councilmen are still being waited. Mr. Palmer discussed the need for a bond issue to be placed on the next election ballot for the inclusion of several improvement projects. He recommended that several of the projects including sidewalks at the two schools and curbs on south York Road be packaged into a bond issue.

In this connection Mr. Platten reviewed the possibility of diverting three storm drains that presently cross Jacksonville Road, between Montgomery Avenue and Moreland Avenue and Penn Street, between Moreland Avenue and Byberry Avenue, to be carried south along the railroad and directed into the storm sewer that goes through the Hatboro Gardens section into the Pennypack Creek east of the York Road bridge. This would eliminate the need of carrying water through the Garner property under York Road and through the center of town. It was agreed that an engineering study should be made on the possibility of the diverting of the above storm sewers. The engineer will gather plans and information on the above storm sewers and meet with the appropriate committee.

Mr. Sam Gamburg called attention to the condition of the storm sewer at the rear of his store building which was installed many years ago by the Borough. A portion of the previously covered storm sewer, approximately 5' deep and 15' long, has caved in and presents an obstruction to the passage of fire equipment. Mr. Platten pointed out that an investigation will be made of the

minutes and records of the Borough to determine if the storm sewer was constructed by the borough. Consideration of any improvement of this storm sewer will be given by the Highway Committee.

A motion was made by Mr. Platten, seconded by Mr. Palmer and approved by the Council to approve an engineering study and the preparation of plans and specifications to improve the storm sewer passageway under York Road. The engineer is also to study the possibility of picking up the three storm sewers crossing Jacksonville Road and Penn Street, referred to above, and to determine if they can possibly be directed into the storm sewer through the Hatboro Gardens section.

Mr. Palmer further emphasized the need for an approved bond issue to cover several of the most important improvement projects. Mr. Platten indicated that a comprehensive report of the planned projects should be given first consideration with specific distances on streets and curbs and sidewalks to be brought before the committee and Council. Mr. Palmer advised that several months ago his committee had recommended that sidewalks be installed on both sides of Windsor Avenue, north from Summit Avenue, on both sides of Meadowbrook Avenue and on Penn Street, from Summit to Meadowbrook on both sides of the street. It was also indicated that sidewalks should be installed on both sides of Chester Avenue, south from Moreland Avenue to the Pennypack School. The installation of sidewalks on Lehman Avenue from York Road to Chester Avenue was also included in the recommendation. The recommendation also included the installation of curbs after the widening of York Road from Crooked Billet south to the Borough line.

There was a discussion concerning the placing of sidewalks on streets presently lined with trees. Mr. Haigler and Mr. Platten recommended that individual consideration be given to each street so that as many trees may be saved as possible.

Mr. Rudolph reporting for the Health and Sanitation Committee presented the report of Assistant Health Officer for the month of April. It included the report of an investigation of a contaminated storm sewer originating in the vicinity of Monument Avenue and Wood Street. As soon as the actual source of the contamination is determined a report will be made to Council.

Mr. Rudolph reviewed the proposed ordinance containing regulations for the collection of rubbish and garbage in the borough. Mr. Jones presented his objections to the collecting of rubbish from the industrial and commercial properties. On a recommendation from Mr. Rudolph a motion was made by Mr. Rudolph, seconded by Mr. Platten and approved by the Council that no action be taken on the ordinance at this time. Mr. Rudolph's committee will continue to give consideration to a revision in the regulations.

Mr. Rudolph presented a recommendation from the committee for the awarding of the bid for the purchase of a 16 cu. yard rubbish collection body and truck with the awards to be made to the Warner

Fruehauf Trailer Company of Baltimore for the body and the truck to I. M. Jarrett of Hatboro.

A motion was made by Mr. Rudolph, seconded by Mr. Platten to accept the bid of the Warner Fruehauf Trailer Company, Baltimore, Md. for the purchase of a 16 cu. yard collection body (Hobbs Hyde-pack) at a total price of \$3,647.20. The price above includes the installation of automatic closing doors and is awarded on the condition that parts and service facilities will be established within 30 miles of Hatboro before the delivery date of the body. The vote on the motion was: For--Messrs. Platten, Newcomb, Palmer, Jones, Haigler, Rudolph. Dr. Brooks abstained from voting on the motion as he owns stock in the Warner Fruehauf Trailer Company. Mr. Rudolph reported that the demonstration of the truck being purchased indicated that it was superior to the others demonstrated and that it packed 30% more than the other trucks being considered.

Following a discussion and in accordance with the committee's recommendation, a motion was made by Mr. Haigler, seconded by Mr. Rudolph and approved by the Council to accept the bid of I. M. Jarrett, Hatboro for a Dodge truck chassis, Model D-500 (Vh Engine 318 cubic inch displacement engine) with the price of \$3,030.40 FOB factory, \$3,097.40 FOB Hatboro, with the decision of the delivery point to be at the discretion of the Highway Committee.

Mr. Newcomb questioned whether the fact that the alternate bid received from I. M. Jarrett was not read at the bid opening, Solicitor O'Hey advised that the actual reading of the bid aloud at the meeting is not required by law and therefore judged that the alternate bid of Mr. Jarrett was proper. Mr. Haigler also confirmed that the alternate bid was actually contained in the envelope containing the regular bid.

Mr. Haigler discussed the present condition of and future use of the dump adjoining the sewer plant, presently leased from the Pennsylvania Railroad Company. He recommended that the Pennsylvania Railroad Company and Upper Moreland Township be advised that when delivery is received of the second refuse collection truck, the lease with the railroad company will be terminated as there will be no further use to Hatboro for the dump.

Mr. Haigler discussed the condition of the State highways in Hatboro and pointed out that contracts with the State Highway Department for normal maintenance and repairs had not resulted in the necessary repairs being made. He suggested that a monthly letter be sent to the State Highway Department pointing out hazardous conditions and necessary repairs. Copies of these letters should be furnished to the local newspapers.

Mr. Haigler reported that the application of Montgomery County Commissioners for aid on the Horsham Road improvement project has been forwarded to the County.

Mr. Haigler also recommended that copies of the approved

plans for Horsham Road be furnished to the School Board so that the proposed sidewalks on School Board property can be installed.

An Ordinance "Surveying, laying out, straightening and establishing lines and grades of the cartway and roadway and sidewalk areas of Horsham Road" was read by the Secretary. A motion was made by Mr. Haigler, seconded by Mr. Palmer and approved by the Council to adopt the following ordinance:

ORDINANCE NO. 326

SURVEYING, LAYING OUT, STRAIGHTENING AND ESTABLISHING THE LINES AND GRADES OF THE CARTWAY OR ROADWAY AND SIDEWALK AREAS OF HORSHAM ROAD BETWEEN YORK ROAD AND THE BOROUGH LINE OF THE BOROUGH OF HATFIELD.

Mr. Haigler discussed the establishing of a right-of-way through the Leonard Polis property, Syberry Avenue and the Reading Railroad. It is now evident that it will be necessary to have the engineer lay out on a plan the proposed area for the extension of Jacksonville Road from Moreland Avenue to Syberry Road. A motion was made by Mr. Haigler, seconded by Mr. Platten and approved by the Council to authorize the engineer to plot out and compute the area to be included in the agreement with the apartment house property owner necessary for the extension of Jacksonville Road.

Mr. Haigler discussed the completion of the Moreland Avenue Parking Lot. The Berlin portion of the lot has not been completed to date. He recommended that the Secretary write letters to the abutting property owners advising that the work will be started in a short time. The copy of the lease with Mr. John Kratz has been delivered to Mr. Robert Berlin for consideration and will be presented at the next Council meeting for Council's consideration. Approximately \$7,000 remains of the funds borrowed under the bond issue of which an estimated amount of \$1800 will be used for completing the Berlin portion of the lot.

Mr. Haigler advised that a request received at the last Council meeting from Dr. Kauffman and Mr. Santerian, representing a group of business men, for the borough to construct and maintain a public parking lot at the rear of the new post office building on the east side of York Road, north of Moreland Avenue, has been held pending receipt of a plot plan. A copy of the building plan indicating the parking area has been received and is available for review.

In connection with the Zoning Code requirement that the post office furnish parking facilities for employees and customers, Mr. Platten pointed out that if the building is classed as an office building the requirement would be for 38 cars. He advised that the committee has met with Mr. Kauffman and it has been determined that the parking area will provide parking for 85 cars. However,

the plans of the post office indicate that no parking is to be provided on the post office property. Mr. Platten further pointed out that under Section 1001 of the Zoning Code a special exception may be granted to permit the joint operation of a parking lot which would permit the post office owner to comply with the code. It is recommended that both parties file for an exception with the Zoning Board. It was further indicated that the ground offered by the business men will be under a lease agreement to the borough and that the owners of the property will demolish the buildings and level the ground so that the borough will merely have to pave, light and maintain the parking lot. The estimated cost for the borough is approximately \$6,000 and the term of lease for not less than 35 years.

In connection with using the money left over from the parking lot bond issue, Mr. Platten advised that the wording of the question on the ballot indicated "parking lot" not "lots" and therefore it has been legally decided that the left-over funds cannot be used for the parking lot behind the post office without the permission of the voters obtained at an election. He further indicated that construction could start during the summer season on the post office parking lot with the question to be placed on the ballot in the November 1959 election. If the question is approved the borough can then be reimbursed at the end of the year from the bond money. The increase in taxes on the new post office building and the providing of parking facilities would probably encourage more commercial development north on York Road and the parking lot would also be available for commuters to use. Mr. Jones questioned going ahead without the approval of the voters.

Mr. Haigler reviewed in detail the plan of the post office and parking lot and recommended that a walk-way be constructed on the north side of the post office from the parking lot to York Road. Mr. Palmer expressed the opinion that the post office owner could possibly be asked to pave a portion of the parking lot to take care of 38 car spaces. Mr. Haigler pointed out that the cost per car for the Moreland Avenue parking lot was approximately \$170 whereas present plans indicate that the cost per car for the parking lot at the rear of the new post office to be from \$75 to \$100 per car.

A motion was made by Mr. Newcomb, seconded by Mr. Palmer, and approved by the Council that the Secretary be directed to write a letter to the County Board for the Revision of Assessments and Taxes asking that the assessments in the vicinity of the Moreland Avenue Parking Lot be reviewed and adjusted due to the installation of the parking facility.

A motion was made by Mr. Platten, seconded by Mr. Rudolph and approved by the Council that Mr. Rothwell, present owner of the post office property, be advised that Council is of the opinion that the Zoning Code requires the furnishing of parking facilities and that Section No. 1001 would provide a means of meeting the

requirements of the Zoning Code.

Mr. Platten discussed the request of the business men represented by Messrs. Kauffman and Santerian for the Borough to lease the property at the rear of the post office for the construction of a public parking lot. Mr. Palmer expressed his opinion that he did not favor the encouraging of the construction of a building not providing parking but that due to the adjacent land being available and being usable in accordance with the Zoning Code he would go along with the proposal. Mr. Newcomb questioned how the borough derives any income to offset the expense of constructing and operating the parking lot. He stated that it appears to be a subsidy for the business men and that he is opposed to the proposal. Mr. Platten admitted that the income feature is not recognizable at this time but that he considered it a public service function. Mr. Newcomb recommended that the people of the borough should in some way indicate to the Council that the borough should provide public parking facilities.

A motion was made by Mr. Platten, seconded by Mr. Haigler, to indicate that Council approves in principal the conclusion of a satisfactory agreement for a lease of the property at the rear of the proposed post office with a term of not less than 35 years to be used by the borough as a municipal parking lot with the borough to assume the cost of construction after the property has been made ready by the present owner. The vote on the motion was: For--Messrs. Brooks, Haigler, Lane, Rudolph, Jones, Platten; Against--Mr. Newcomb.

Mr. Haigler reported that the Public Utility Commission will conduct a public hearing for the Greyhound Bus Corporation's application to provide the bus service adjacent to Hatboro previously provided by the County Transit Company. Mr. Platten advised that he will represent the Philadelphia Transportation Company in its protest against the action on the Greyhound Bus Corporation application. Mr. Platten further pointed out that bus service within the borough of Hatboro is not being considered in this application.

Mr. Platten reporting for the Finance Committee discussed in detail the Budget Report for the month of April. He further pointed out that the cash balance after payment of bills presented for approval at this meeting will be approximately \$3500. Due to the opening of the swimming pool on May 30, it was expected that pool income amounting to approximately \$8,000 will be received shortly and that there will be sufficient funds to carry over till the next Council meeting.

Mr. Platten recommended that the June Council meeting be held on the third Monday of June, June 15. A motion was made by Mr. Haigler, seconded by Dr. Brooks and approved by the Council setting the date for the June Council meeting as June 15, 1959.

Mr. Platten advised that in connection with the meeting held

with the Hatboro Borough Authority, investigating the possibility of combining operations of the Borough and the Water Company, that a meeting had been held and that all councilmen have been advised of progress to date.

Mr. Rudolph advised that a report has been received concerning the contamination of the Pennypack Creek flowing from Warminster Township through the Hatboro Park. Samples taken from the stream have been forwarded to a testing laboratory and the report received indicates that a serious condition exists. Mr. Jones recommended that Mr. Rudolph contact Health Officer Dr. Fisher and that the necessary steps to correct the condition be taken. It was also recommended that the State Board of Health be contacted so that this problem may be cleared up as soon as possible.

The following bills were presented for payment by the Secretary and approved by the Council:

<u>Vo.#</u>	<u>Vendor</u>		
172	Nellie S. Howard	\$	15.00
172A	Grove Supply, Inc.		5.06
173	Fidelity Companies		5.89
174	Eastman Kodak Stores, Inc.		17.85
175	Eureka Stone Quarry, Inc.		17.33
176	Bell Telephone Co. of Penna.		12.40
177	Eureka Stone Quarry, Inc.		71.12
178	Erwin Printing, Inc.		30.50
179	Delaware Valley Concrete Co., Inc.		6.70
180	Cameron's Sanitary Landfill		102.00
181	Creative Chemical Company		20.00
182	Brooks Paint Store		7.45
183	Jim Banes Ford, Inc.		56.51
184	American Playground Device Co.		391.37
185	Marsden's Gas Service		24.00
186	Lou's Sunoco		4.65
187	Keystone Hi-Way Traffic Equip. Co.		72.49
188	I. M. Jarrett		5.68
189	The Daily Intelligencer		13.00
190	Hatboro Lumber & Fuel Co.		44.85
191	Knox Henderson, Esq.		250.00
192	Hatboro Borough Authority		600.67
193	Hatboro Concrete Block Co.		18.28
194	Hatboro Hardware		54.42
195	Herman Goldner Co., Inc.		156.52
196	Herman Goldner Co., Inc.		23.79
197	Accounting Adjustment		
198	Worstall Stationery Co.		43.39
199	J. Alvin Wolverton		9.00
200	Taggart's Hardware		23.49
201	Taggart's Hardware		1.35
202	Sinclair Refining Company		168.21

203	Santerian's	\$ 16.74
204	Road Machinery, Inc.	16.81
205	The Pennsylvania Railroad Company	25.00
206	Philadelphia Electric Co.	907.51
207	Philadelphia Electric Co.	10.00
208	Philadelphia Electric Co.	12.10
209	National Disinfectant Co.	38.86
210	Treasurer Montgomery County	10.18
211	Allan F. Meade, Inc.	60.00
212	Milbury Atlantic Co.	172.18
213	Miller & Cornell, Inc.	44.74
214	Miller & Cornell, Inc.	2,241.12
215	Miller & Cornell, Inc.	5.00
216	Montgomery Publishing Co.	18.75
217	John S. Magill, Clerk of Courts	5.00
218	E. S. McVaugh	3.00
219	Markovich Auto Parts	11.55
220	C & C Supply Co., Hatboro	10.61
221	Martin & Bradley	192.87
222	Marie P. Montague	22.50
223	Transport Clearings of Phila., Inc.	3.90
224	Philadelphia National Bank	1,319.38
225	Borough of Hatboro - Highway Aid Fund	1,231.75
226	" " " - General Fund	1,059.61

A motion was made by Mr. Palmer, seconded by Mr. Platten and approved by the Council that the meeting adjourn at 12:15 A.M.

Thomas A. McChesney

Hatboro, Pa.
June 15, 1959

The regular meeting of the Borough Council was held in the Municipal Building on the above date.

The meeting was called to order at 8:05 P.M. by President Jones with the following present: Councilmen Palmer, Platten, Jones, Haigler, Rudolph, Newcomb; Engineer Haggerty, Solicitor Henderson, Superintendent Stauch, Burgess Williams and 17 resident.

The invocation was given by Burgess Williams.

Mr. Palmer reporting for the General Administration Committee advised that a revised copy of the annual report has been distributed for review. Additions and corrections will be received by the committee until June 19, 1959, after that date final composition will be decided and copies printed.

Mr. Palmer advised that a proposed program for a pension system for borough employees has been received from Mr. Rosenbaum. Copies were distributed to all councilmen. A list of questions has been made by the committee. Submission of the list of questions to Mr. Rosenbaum will be withheld until June 20 for additions from other councilmen.

Mr. Palmer discussed the formulation of a group of improvement projects for a possible bond issue. In connection with the with the construction of sidewalks in the vicinity of the two elementary schools it is planned that the committee, along with the police chief and crossing guards, will conduct a field trip to review the actual locations requiring sidewalks on Saturday morning, June 27 at 10 A. M.

Mr. Platten reporting for the Finance Committee advised that with the receipt of swimming pool membership funds no tax anticipation borrowing has been required to date. However, the cash balance at this date indicates that \$10,000 will be needed by July 1, 1959. The borrowing rate of $2\frac{1}{2}\%$ has been agreed to by the Philadelphia National Bank.

Dr. Brooks entered the meeting at this time.

A motion was made by Mr. Palmer, seconded by Mr. Haigler and approved by the Council to adopt the following resolution to authorize borrowing up to \$40,000 as needed.

RESOLUTION

RESOLVED, that the President and the Secretary of the Borough of Hatboro, be and they are hereby authorized in behalf of the said Borough of Hatboro, to borrow an amount not to exceed \$40,000.00 from the Philadelphia National Bank, and to issue, execute and deliver a promissory note or notes in such amounts as, from time to time, in the opinion, signified by proper vouchers, of the President, Chairman of the Finance Committee and Treasurer, are required to pay bills due or to become due, payable on demand with interest at $2\frac{1}{2}\%$ per annum and to affix the corporate seal thereto.

Mr. Platten reported that in connection with the negotiations with the Hatboro Borough Authority no further meetings have been held since the last Council meeting.

Mr. Platten reported that in accordance with instructions issued by the Finance Committee, prices had been obtained for the installation of window type air conditioning equipment in the Borough office and police department rooms. The prices obtained were referred to the Finance Committee for recommendation.

Mr. Platten presented the report of the borough auditors which indicated that all funds and books of the Borough of Hatboro have been audited and found to be in order. The report also indicated that all bond issues have been verified, deed transfers checked with the county records and that two real estate transfer taxes had not been paid. These two will be investigated by the Finance Committee. It was also noted that four recommendations concerning the handling of the swimming pool books had been received from the auditors. These recommendations were referred to the Public Works Committee.

A motion was made by Mr. Platten, seconded by Mr. Palmer and approved by the Council to accept the report of the borough auditors.

Mr. Haigler discussed the 1959 Budget and tax rate and advised that the tax rate of 15 mills adopted at a previous meeting would again result in a surplus at the end of the year.

A motion was made by Mr. Haigler, seconded by Mr. Rudolph, to abolish the one mill fire tax of the tax ordinance and to make the appropriation to the fire company from the General Fund.

Mr. Palmer expressed his opinion that a surplus would result if no improvements are undertaken during the year. Mr. Jones indicated that money is constantly being wasted in constant repairing of streets instead of building permanent streets. Mr. Newcomb questioned what action will be taken on the drainage problems and Horsham Road improvement. Burgess Williams recommended a tax cut to save money as it would be good for Hatboro. Mr. Jones indicated that the tax cut would result in a saving of only \$3.00 to \$5.00 per home, and would not be sufficient cause to create a business boom. Mr. Jones also pointed out that the Borough has many projects to be done and that retaining the present rate might save borrowing. Mr. Palmer indicated that if adequate public services are not provided at the local level, people will look to the state and federal agencies for the same services, at a much higher cost. Mr. Haigler indicated that the one mill tax is not required during 1959 due to the previous year's surplus. The vote on the motion to adopt the following ordinance was: For--Messrs. Platten, Brooks, Haigler and Rudolph; Against--Messrs. Newcomb, Palmer and Jones. The motion was declared approved.

ORDINANCE NO. 327

AN ORDINANCE OF THE BOROUGH OF HATBORO, AMENDING ORDINANCE NO. 325 FIXING THE TAX RATE FOR THE FISCAL YEAR 1959.

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Council of the Borough of Hatboro:

Section 1. That the following is hereby eliminated:

"For Other Purposes - To contribute to the purchase of fire apparatus by the fire company - 1 mill on each dollar of assessed valuation."

Mr. Haigler reporting for the Highway Committee advised that a committee meeting had been held on May 25. The possible connecting of the storm sewers on Penn Street and Jacksonville Road to flow through the storm sewer under the Hatboro Gardens section had been reviewed. The improvement of the storm sewer under York Road had been discussed but the plan and estimate has not been prepared to date.

Engineer Haggerty reported that the potential run-off of rain water presently handled by the storm sewer flowing under Penn Street and Jacksonville Road is too great to be diverted through the storm sewer under the Hatboro Gardens section. He recommended that the three storm drains be diverted south along the railroad to the creek at Fulmor Station.

Mr. Haigler advised that the final approval of the parking lot proposal at the rear of the new post office is awaiting action by the Zoning Board.

Mr. Haigler discussed the possible construction of curbing on the west side of South York Road from present terminus to the borough line. Noting that the state will not permanently widen the street until curbs are installed it may not be advisable to put the curbs in at this time. Mr. Platten pointed out that it might be well to have the curbs installed and a temporary surface constructed by the borough until the state installs the permanent roadway. Mr. Platten further recommended that a meeting be arranged with the State Highway engineer so that the curb and street work be done simultaneously.

A motion was made by Mr. Haigler, seconded by Mr. Palmer to adopt an ordinance to ordain curbs on the west side of south York Road from the present curb to the south borough line.

Mr. Newcomb recommended that Upper Moreland Township be consulted in order to tie in with the adjoining curb lines.

A motion was made by Mr. Palmer, seconded by Mr. Newcomb, to table the adoption of the above ordinance until a meeting can be arranged with the District Engineer of the State Highway Department. The vote on the motion was: For--Messrs. Palmer, Newcomb, Jones and Brooks; Against--Messrs. Platten, Haigler and Rudolph.

Mr. Haigler reported that the lease for the Berlin portion of the Moreland Avenue parking lot has been submitted to Mr. Berlin. No reply has been received to date.

Mr. Haigler reported that the further paving of the parking lot at the rear of the new unemployment office was scheduled to start on June 19, 1959.

Mr. Haigler reviewed the present storm sewer under west Lehman Avenue and pointed out that a shaped inlet with a head wall is required. No estimate has been received to date for the improvements.

Mr. Haigler discussed the condition of the storm sewer on the Lucy Barnes and Hoffman properties. A check of the minutes indicates that the original storm sewer work was performed by the borough. Following a review of the present condition of the storm sewer it was indicated that an expenditure of \$1200 will be required. The estimate prepared by Mr. Stauch indicated that material costing \$650 will be needed.

A motion was made by Mr. Haigler, seconded by Mr. Palmer and approved by the Council to adopt the following resolution to transfer an amount of \$650 from Account 41-Q, Construction of Streets, to Account 41-J, Repairs to Drains.

RESOLVED, That the sum of \$650 be transferred from Budget Account #41-Q, Capital Outlay - Construction of Streets, to Budget Account #41-J, Repairs to Drains.

Mr. Haigler reported that complaints have been received from residents of Rorer Avenue of flooding due to storm water from the storm drain at the rear of their property. Repairs are necessary to channel the water into the pipe with the possible construction of two walls. The committee will review the problem and make a recommendation at the next meeting.

Mr. Haigler advised that the surface treatment of borough streets requiring attention this year will be performed by the Borough Maintenance Department.

Mr. Rudolph reporting for the Health and Sanitation Committee advised that the new refuse collection truck is scheduled for delivery on July 1, 1959.

Mr. Rudolph presented the report of the Assistant Health Officer concerning the contamination of the Pennypack Creek. He advised that posters had been placed along the stream warning of the contamination. He also reported that a letter received from the Bucks County Board of Health advised that two of the plants connected with the problem are connecting to the Lacey Gardens sewer system within a short time. The other establishments are taking steps to remove the cause for contamination. The committee will continue to follow up this item.

Mr. Rudolph presented a revised list of regulations covering the collection of refuse and garbage in the borough as follows:

SECTION 1

Monday and Thursday, West side of York Road West to Borough Line from County Line to S. Borough Line.

SECTION 2

Tuesday and Friday, East side of York Road East to Warminster Road from County Line to South Borough Line.

HOLIDAYS

No collection. Will be collected on next regular collection day.

Containers: All containers must be at curb by 7:30 A. M.

Garbage and trash will be collected together. All garbage must be DRAINED AND WRAPPED in paper. No loose garbage (or swill) will be taken.

Containers should be metal, and must not exceed 60 pounds in weight and not more than three containers per residence, industrial or commercial establishment.

Garbage and trash will be collected twice a week and should be placed in containers to prevent blowing around.

Large articles such as ice boxes and sofas will be collected on Wednesdays. Persons with such items must call Borough Office for pick-up on Tuesday.

Borough Sanitation Department personnel are authorized to refuse removal of trash which is not in accordance with the above stated regulations.

It is noted that the proposed revisions provide for the collection of refuse from industrial and commercial properties. Mr. Jones and Burgess Williams indicated their opposition to collecting from any but residential properties.

A motion was made by Mr. Rudolph, seconded by Mr. Newcomb authorizing the printing and distribution of the revised regulations to all residents of the borough. The vote on the motion was: For--Messrs. Brooks, Palmer, Haigler, Platten, Newcomb, Rudolph; Against--Mr. Jones.

Mr. Palmer recommended that the superintendent keep a strict record of any excess collections from industrial or commercial establishments.

Mr. Haigler discussed the cancelling of the lease for the dump adjacent to the sewer plant with the Pennsylvania Railroad. A motion was made by Mr. Haigler, seconded by Mr. Palmer and approved by the Council to authorize the giving of 30 days notice to the Pennsylvania Railroad advising that the lease for the dump be terminated on July 31, 1959.

Mr. Newcomb presented a subdivision plan of Christian Benner for approval. The plan covered nine building lots on the south side of Byberry Avenue, west of Warminster Road. The plan has already been approved by the Planning Commission. There was a discussion concerning the requirement that curbs be installed on properties included in the above subdivision. A motion was made by Mr. Newcomb, seconded by Mr. Haigler and approved by the Council to approve the above subdivision plan subject to the showing on the plan of the location of curbs and sidewalks. Installation of the curbs and sidewalks will be required if the grades have been established by the State for Byberry Road and the road is constructed to grade. The approval of the plan also requires that the owner will made adequate provision for the storm drain presently crossing the property, subject to the approval of the borough engineer.

A meeting is being arranged between Mr. Benner, Mr. Haggerty and Mr. Henderson in order to work out the storm drain requirements.

Mr. Newcomb presented a subdivision plan for Mr. Lang and Mr. Aiman for Lots #09, 310 and 311 on the south side of Windover Road. The plan has been approved by the Planning Commission on June 2, 1959.

A motion was made by Mr. Newcomb, seconded by Mr. Palmer and approved by the Council to approve the above subdivision plan.

Mr. Newcomb advised that he had received a plan of a subdivision for Lots #138, 139 and 140 on the west side of Jefferson Avenue between Corinthian and Summit. This plan will be referred to the Planning Commission for review and recommendation at the next Council meeting.

Mr. Newcomb presented for discussion the petition for change of zoning classification from Residential A and C to Retail, of the Gniewek property, had been offered for sale at a price of \$100,000. Mr. Jones reviewed past discussions on this subject. Mr. Newcomb presented for reading by the Secretary the following letter from Albert M. Greenfield Corporation, relative to a price of \$90,000 for a parcel of ground adjoining the Gniewek property.

ALBERT M. GREENFIELD & CO.
Philadelphia 7
January 26, 1959

Mr. Jack Frant
101 West 31st Street
New York, New York

Re: County Line Rd. & Old York
Road, Hatboro, Pennsylvania

Dear Jack:

We have been advised by the owners of the captioned ground, now under agreement to you, that the zoning hearing for a change to commercial usage will take place during the second week of February, 1959. We shall keep you posted as to any other additional information we have regarding this hearing.

In addition, we have found that an adjoining piece of land south of this plot on York Road is available. This parcel is 330' x 610' or approximately $3\frac{1}{2}$ acres. Unfortunately, this is also zoned residential but can also be sold subject to commercial zoning at the sales price of \$90,000.

I am still endeavoring to get information on MacDade Boulevard as to whether or not this is being sold.

With best regards,

Very truly yours,

ALBERT M. GREENFIELD & CO., INC.

By Jordan A. Katz

Mr. Jones claimed that he was present at a meeting in Mr. Haigler's home when an offer was made for Mr. Haigler's property. Mrs. Haigler stated that Mr. Jones' claim is untrue. Mr. Haigler also stated that the claim of Mr. Jones is not true. Mr. Haigler asked who was present when the offer was made and Mr. Jones did not so state.

Dr. Brooks recommended that consideration be given at this time to the Gniewek property alone. Personalities, politics and personal feelings should be kept out of the discussion. He also indicated that regardless of which way Mr. Haigler voted he would be criticized.

He also recommended that Council should reconsider the motion passed at a previous meeting indicating approval of Mr. Haigler's voting on the zoning change.

Burgess Williams read the following letters concerning the offering of the Haigler property for sale.

May 21, 1959

In a conversation with a Mr. John J. Gaffney at 8:40 A.M. on May 15th, 1959, I, Dr. Williams, was questioned by him concerning a Mr. Al Moffa of Hatboro, Penna. Mr. Al Moffa called the office of A. M. Greenfield & Co. on Tuesday May 5th, 1959 about 10:30 A.M. Mr. Gaffney said that Mr. Moffa first talked with our Vice-President, Mr. Robert Sturgeon, who heads the department of Commercial Real Estate Sales. Mr. Moffa was interested in the Gniewek property at the south east corner of County Line and York Roads. After it became apparent that Mr. Moffa wanted to talk with the man handling this department, Moffa was switched to My telephone (Gaffney). Mr. Gaffney asked Mr. Moffa's name and why he was so interested in this property. Mr. Moffa was asked by Mr. Gaffney whether he was a councilman. "No", was the answer. Then Moffa was asked if he was a zoning board member. Mr. Moffa said, "No."

Mr. Gaffney was told by Mr. Moffa that he was head of the Republican Organization in Hatboro and that he was a Justice of the Peace and that "I carry some influence up in Hatboro."

Mr. Moffa said that he was for the development of the Gniewek property and that it was a good thing for Hatboro.

Moffa further said that Councilman Haigler was the stumbling block to the proposition and if I could get Haigler out of the way I could bring this thing around.

Mr. Moffa said that we have a few things on Haigler and that we have some things against Haigler. And, "I'd like to get something on him", and if you'll help get a listing of his property which is next to Gniewek's I could get Haigler out of the way. "If I got that listing on his place- it could get him in line and the deal could go through."

On May 5th a second call came from Mr. Moffa directly to Mr. John Gaffney's office about an hour later after the first call.

The gist of the conversation was as follows:

Moffa speaking - "I want you to approach Haigler and get him to list his property with you. Then let us know what the listing is and how much he wants for his place. I think your Super Market will be a good thing for Hatboro. I am for it".

Mr. Gaffney is the man who has the Gniewek property under his listings.

Mr. Moffa requested again that he be given a listing of Haigler's property. It didn't matter how high a price he lists for it. We want to know that he wants to sell it. Get the listing to me and in writing ("We got to have it in writing and get Haigler to sign it so we can get this fellow out of the way.") "Haigler is your stumbling block. I am all for this development.

Mr. Gaffney told Moffa that he did not wish to have any part in a scheme like this to run down Haigler.

Mr. Gaffney attempted to explain to Mr. Moffa that it was an unwise business procedure to get interested in the Haigler property when Greenfield wasn't concerned with it. It was an unethical practice which his office (Greenfield & Co.) would avoid.

Mr. Moffa was told to use one of the several Hatboro Real Estate men and have him get him a listing on Haigler's property.

(Signed) John J. Gaffney, Jr.

May 28, 1959

Mr. Gaffney, calling from Philadelphia, called Mr. Moffa several times in his office and in his home in the late afternoon on Friday, May 15. He finally reached him about 7:30 o'clock on the evening of May 15, 1959.

Mr. Gaffney called to make an appointment with Moffa to further explore the general idea of getting a listing on Haigler's property with Greenfield and Co.

Mr. Gaffney suggested dates of Wednesday or Thursday May 20th or May 21st 1959.

Moffa replied that those dates are too late. I have to have the information before Sunday (May 17th) if it is going to be any good to me. I'd like to get it by tomorrow (Sat., May 16th) in order to dump Haigler. If I can't get the listing before election day it is no good to me.

Mr. Gaffney said, "He knows me; he called me John." Mr. Gaffney made a tentative appointment to see Moffa on Saturday May 16th, but was unable to be present and cancelled it by phone.

(Signed) John J. Gaffney, Jr.

Mr. Gaffney acknowledged that the statements contained in the above letters are correct.

Mr. Sam Gamburg expressed the opinion that Council should act on the zoning petition without political influence. If not, he recommended that the Council and Burgess resign from their positions.

In response to a question raised by the Council, Solicitor Henderson recommended that if Mr. Haigler is merely an adjoining property owner it is proper for him to vote. If he is personally or financially interested in the zoning change, Mr. Haigler should refrain from voting.

A motion was made by Mr. Platten, seconded by Mr. Haigler directing that the letters presented by Burgess Williams and Mr. Jones be included as part of the minutes of this meeting. The vote on the motion was: For--Messrs. Platten, Palmer, Brooks, Newcomb, Rudolph, Haigler; Against--Mr. Jones. Mr. Jones indicated the reason for his vote that he did not believe that any of the letters were Council's business.

In response to a question raised by Mr. Haigler concerning the size of the parking spaces at the proposed shopping center, Mr. Houpt presented revised plans of the ground and parking area. The plan indicates spaces for 433 cars using the new street lines for County Line and York Road. The loss of 69 car spaces is caused by the dedication of the new street lines. This would indicate that 502 car spaces are available on the lot in its present size.

Mr. Houpt further indicated that the useable floor space of the variety store is 24,296 sq. ft., thereby requiring 243 car spaces. The useable floor space of the super market is 13,500 sq. ft. which requires 270 car spaces or a total of 513 parking spaces.

Mr. Frant further indicated that the two proposed stores will provide employment for at least 125 persons.

Mr. Jones recommended that a special Council meeting be held on June 20, 1959, at 2 P.M., to come to a decision on the zoning change. A special committee consisting of Councilmen Palmer, Platten and Jones will meet on Wednesday evening, July 17, for the purpose of drawing up a list of requirements as to storm drainage, fencing, screening and other necessary improvements to be included as requirements in the zoning change.

A motion was made by Mr. Platten, seconded by Mr. Palmer and approved by the Council to accept the final report of the Tax Collector for the tax duplicate for the year 1958.

A motion was made by Mr. Platten, seconded by Dr. Brooks and approved by the Council to recess this meeting until Saturday, June 20, 1959 at 2 P.M., the hour being 12:05 A.M.

Prior to the above motion, the following bills were presented for payment by the Secretary and approved by the Council:

<u>Vo.#</u>	<u>Vendor</u>	
227	Grove Supply, Inc.	\$ 19.33
228	General Electric Co.	1,516.00
229	Ed's Hardware	2.56
230	Eureka Stone Quarry, Inc.	63.80
231	Duro-Test Corporation	55.59
232	The C. B. Dolge Company	15.74
233	Columbia Ribbon & Carbon Mfg. Co.	7.27
234	C. & C. Supply Co. Hatboro	6.66
235	Bonn-Duhrkoff Co.	38.20
236	Jim Banes Ford, Inc.	30.29
237	Bell Telephone Co.	16.52
238	Bell Telephone Co.	229.14
239	Brooks Paint Store	152.45
240	M. A. Bruder & Sons, Inc.	26.00
241	Joseph Spiecker, Pool Mgr.	30.00
242	American Playground Device Co.	40.45
243	Hatboro Cycle Shop	5.50
244	Galer & Hults, Inc.	35.00
245	Galer & Hults, Inc.	62.54
246	Delaware Valley Concrete Co., Inc.	33.13
247	James Craig	7.43
248	Glasgow Quarry, Inc.	36.07
249	Charles F. Hill	96.00

250	J. I. Holcomb Mfg. Co., Inc.	24.90
251	Hatboro Hardware	11.75
252	Hatboro Hardware	2.52
253	The Kelly-Springfield Tire Co.	15.00
254	Keystone Hi-way Traffic Equipment Co.	105.71
255	Martin & Bradley	22.25
256	Lou's Sunoco	45.65
257	Fred Krauskopf	7.50
258	Industrial Products Co.	17.05
259	The Intelligencer Co.	31.35
260	Hatboro Borough Authority	555.00
261	Hatboro Office Supply Co.	50.73
262	Roxy Lawnshear Corp.	52.50
263	Philadelphia Electric Co.	885.46
264	Philadelphia Electric Co.	12.10
265	Alex L. Parry, Tax Collector	75.00
266	E. S. McVaugh	2.00
267	Phila. Electric Co.	10.00
268	Philadelphia National Bank, Hatboro Office	793.70
269	Philadelphia National Bank	5,203.00
270	Philadelphia National Bank	10.00
271	Noll Business Machines, Inc.	325.00
272	Medical Arts Laboratory	40.00
273	Magee-Hale Park-O-Meter Co.	21.00
274	Treasurer, Montgomery County	4.50
275	Milbury Atlantic Co.	5.22
276	Miller & Cornell, Inc.	25.00
277	Miller & Cornell Inc.	163.18
278	Markovich Auto Parts	8.24
279	Bux-Mont Office Supply Co.	26.50
280	Bux-Mont Office Supply Co.	7.05
281	Alvin Wolverton	2.00
282	Upper Moreland-Hatboro Joint Sewer Authority	26.78
283	Taggart's Hardware	36.81
284	Smith Chevrolet	6.40
285	Sinclair Refining Company	8.00
286	Sinclair Refining Company	163.54
287	Cameron's Sanitary Landfill	86.00
288	Mr. John Gintowt	187.50
289	T. A. McClurken	70.00
290	Dr. R. W. Williams	90.00
291	Accounting Adjustment	193.04
292	Transport Clearings of Phila, Inc.	4.97
293	Mr. Knox Henderson	250.00
294	Mr. Lane Palmer	90.00
295	Mr. H. R. Jones	90.00
296	Dr. Eugene I. Brooks	90.00
297	Mr. Edmund D. Haigler	90.00
298	Mr. Peter Platten	90.00
299	Mr. Rowland M. Newcomb	75.00
300	Mr. Harry Rudolph	75.00
301	Mr. Chester Winner, Sr.	262.50
302	Mr. Chester DiLauro	262.50
303	Mr. Harry H. Barford	262.50
304	Hatboro Lumber & Fuel Co.	14.30

Thomas A. McClurken

Hatboro, Pa.
June 20, 1959

The recessed Council meeting of June 15, 1959 was reconvened in the Municipal Building on the above date.

The meeting was called to order at 2 P. M. by President Jones with the following present: Councilmen Jones, Palmer, Newcomb, Haigler, Brooks, Rudolph, Platten; Burgess Williams, Solicitor Henderson; Mr. Lyle Houpt, representing Mr. and Mrs. Gniewek; twenty residents and two press representatives.

Mr. Newcomb introduced the subject of the proposed zoning change for the Gniewek property. He reviewed Section 1903 of the Zoning Ordinance which states "if more than 20% of the owners of the lot area immediately adjacent to the property in question for a distance of 100 ft., file a written protest, a unanimous vote of Borough Council is required to approve the zoning change." Mr. Henderson advised that the Borough Code requires that a 3/4's vote of the Council is necessary under the above conditions. Mr. Henderson cited a court case decided in Montgomery County three weeks ago in which the three-quarter vote of Borough Council was ruled legal.

Mr. Houpt advised that Mr. and Mrs. Cassidy, signers of the protest petition, wish their names to be withdrawn from the protest.

The Secretary advised that the area of the lots within the distances above stated have been computed and that the total area of those lots whose owners have filed a written protest exceeds 20% of the area in question, even without including the lots of Mr. and Mrs. Cassidy and Mr. and Mrs. Haigler.

Mr. Haigler presented a letter which was read by the Secretary indicating that he withdraws as a voting member of Council in order that he may, with his wife, join the group protesting the zoning change.

June 19, 1959

Hatboro Borough Council
Hatboro, Pa.

Attention: Mr. Thomas McClurken, Sec'y

If I vote as a councilman on the Gniewek rezoning question even after most careful study, it is obvious from past shenanigans that strenuous efforts may be made to distort my motive whichever way I vote. Therefore, I have chosen to join my wife in protest under Section 1903 of the Hatboro Zoning Code and to abstain from voting.

May I call council's attention again to my "Notes on Gniewek Hearing 4-29-59" which point out the discrepancies between the figures presented and the facts of record. Also to my 19 "Questions for Gniewek Hearing" and the answer signed by Mr. Houpt. I knew, for example, enough about chain store parking requirements to doubt the leases had been signed, and this is now admitted.

May I call council's particular attention to new discrepancies, the first map shows 425 cars on 217,526 sq. ft. plot (237,000 claimed). The second map shows 433 cars on 178,418 sq. ft. plot. This is done by reducing spaces to 7' wide, (although Mr. Houpt says 10' x 20'), which is impossibly narrow even for dead storage of new cars, now mostly 78 to 80½" wide.

Note also that if ruling of this map is completed to the same scale the count of spaces is only 386 not 433. Multiplying by 0.7 to give legal width (but short) spaces, the count is down to 270. By better layout I can get at least 5% more full legal size spaces (at least 10% more if stores face York Road and are set well back). The proposed 455-475 spaces is impossible.

The claimed loss of 69 spaces by widening County Line Road is exaggerated. On their second plan I count a maximum of 34 legal size spaces lost.

The parking figures based on area are distorted. Subtracting built area from total area, includes as parking the areas of service driveway, load space, loading dock, sidewalk in front of building, corners unused by reason of irregular shape and buffer strips.

By proper orientation and arrangement, the loss of parking space by carrying Evergreen right-of-way straight through can be as low as 17 cars. Also it can be used as entrance and exit to parking lot as at the Acme at York & Street Roads, recovering some space. Curving Evergreen as proposed will eliminate more parking spaces on Geniewek property and destroy 7 or 8 good building lots on properties south.

As an abutter I am particularly interested in the storm drainage problem, and submit that a \$15,000 bond will not cover much of a storm sewer to the creek.

Sincerely yours,

(Signed) Edmund D. Haigler

Mr. Palmer questioned the legality of Mr. Haigler abstaining from voting. Mr. Henderson pointed out that Mr. Haigler in joining the list of written protestors should remove himself as a voting councilman on the zoning change.

Mr. Platten pointed out that in line with a previously adopted policy concerning Conflict of Interest Mr. Haigler's refraining from voting is in line with the spirit of the law. Mr. Palmer expressed the opinion that Mr. Haigler should have withdrawn from the issue when the petition was presented several months ago instead of taking an active part in the investigation and discussion of the development proposal.

A motion was made by Mr. Platten, seconded by Mr. Rudolph, directing that the letter presented by Mr. Haigler be received and included as part of the minutes of this meeting as evidence of his intention not to vote and as evidence of his protest and reasons in support thereof. The vote on the motion was: For--Messrs. Platten, Brooks, Jones, Newcomb and Rudolph; Against--Mr. Palmer. Mr. Haigler abstained from voting.

Mr. Jones after consulting with Mr. Henderson announced that five affirmative votes of the Council are required to approve the zoning change over the protests of the property owners.

Mr. Platten questioned Mr. Houpt if he had any objection to proceeding with the consideration of the zoning change with six qualified eligible councilmen with five affirmative votes required. Mr. Houpt indicated that he did not believe he had any choice in the matter. Mr. Platten also questioned if Mr. Houpt will urge the taking of the vote on the zoning change under protest. Mr. Houpt indicated that he was satisfied with the requirement that five affirmative votes are required. Mr. Houpt further indicated that he was satisfied as to the legality of proceeding as indicated above.

Mr. Newcomb recommended that the zoning code be revised to agree with the Borough Code.

Concerning the conditions of approval formulated at the previous council meeting, Mr. Houpt presented the comments of Mr. Frant on each item as follows:

1. Mr. Houpt indicated that Mr. Haggerty's estimated cost in complying with storm drainage requirements was \$8 to \$10,000. He further indicated that the owner will furnish a bond up to \$15,000 but will complete the required drainage construction even though the cost may exceed \$15,000.
2. Service Driveway. Mr. Frant indicated that a 16' driveway with four additional feet for fencing for requirement. Following a discussion it was agreed that the space between the building and the property line at the service driveway will be 20' to 25'.
7. Outside fence. The builder prefers post and rail western type fencing instead of post and chain.
8. Entrances and Exits. Mr. Frant objected to the provision permitting the Borough to change the entrances and exits within one year. Such changes would necessitate new curb and sidewalk construction, realignment of the parking spaces and possible changes in the storm drainage plan. It was agreed that the phrase "subject to the approval of the Pennsylvania State Department of Highways" be added to this item.
9. Traffic Control Devices. Following a discussion it was agreed that the owner would not be required to pay for the cost of installing and maintaining of lines to any point beyond the immediate property and directly across the street.
15. Merchandise Delivery and Store Hours. At the suggestion of Mr. Frant it was agreed that the hours be extended to 9:30 P.M. on this item.
16. Performance Bond. It was agreed that the item of "parking lot paving" would be removed as an item under the performance bond if control of this item is under the Building Code and the Granting of the Certificate of Occupancy.

17. Construction and Completion. Mr. Frant requested that the starting date be specified at four months as topographical plans and complete construction plans will require some time to complete. Following a discussion it was agreed that the starting date should be 180 days, with completion within one year from the starting date.
19. The complete paving of York Road and County Line on the sides adjoining the development was added as a requirement to the builder.

The Secretary read the revised list of items. Mr. Jones presented an objection to the extension of Evergreen Avenue through to County Line Road. He expressed the opinion that the flow of shopping center traffic through Mitchell Park would be very hazardous. Mr. Rudolph recommended that the definite location of the right-of-way be removed from the requirement.

At this point Mr. Newcomb left the meeting (4:05 P.M.)

Mr. Platten recommended that the consideration of the items required for approval and the vote on the zoning change petition be tabled until the complete Council can meet. Mr. Henderson indicated that even though Mr. Newcomb had left the meeting, five affirmative votes were required.

Burgess Williams commended the Public Spirit for its editorial on Civil Defense and presented an appeal to the civic organizations of Hatboro for their cooperation in activating the Civil Defense organization. He also recommended that the Loller School building be used as Civil Defense Headquarters and that it be developed as a community building.

Mr. Haigler reported that one of the maintenance department employees had quit without giving notice. It is expected that the earned vacation pay would not be paid due to the lack of notice. The problem was referred to the General Administration Committee for review and recommendation.

Mr. Conrad Moffett, representing Albert Moffa, requested permission to address the Council in reply to charges made at the previous meeting concerning Mr. Moffa's activity in the Gniewek property hearings. Mr. Jones expressed the opinion that charges and statements of the type referred to by Mr. Moffett are not properly the concern of Council and should be settled elsewhere. Mr. Jones also recommended that any replies to charges should be withheld until the minutes of the meeting are presented for approval. Whether the letters in question will be entered as read will be decided at that time. Mr. Samuel Gamburg and Mr. Ed McCarty recommended that the reply to the charges be heard at this time.

Mr. Platten recommended that a separate meeting be held to hear both sides of the question if the issue is important enough. Mr. Moffett officially denied the charges made in the letter read by the Burgess.

2942

A motion was made by Mr. Platten, seconded by Dr. Brooks and approved by the Council to recess the meeting until July 6, 1959 at 8:00 P.M., the hour now being 5 P. M.

Thomas R. McClurken
Secretary

July 6, 1959

The recessed meeting of June 20 of the Borough Council was reconvened in the Council Room on the above date.

The meeting was called to order by President Jones at 8:00 P. M. with the following present: Councilmen Palmer, Platten, Jones, Brooks, Rudolph, Newcomb, Haigler, Burgess Williams, Treasurer Gintowt, Solicitor Henderson, and approximately 26 residents.

Burgess Williams advised that a letter had been received from the American Automobile Association advising that Hatboro has qualified for a Pedestrian Safety Award as there has been no pedestrian fatalities for the past four years.

The presentation of the award will be made at a future meeting.

Burgess Williams advised that he still recommends the use of the Loller School Building for Civil Defense Headquarters and other community purposes. He urges that the Hatboro School Board be contacted to make the necessary arrangements.

Burgess Williams advised that on June 18, 1959 the second police car was placed in service. It was also reported that all the members of the Police Department have attended an F.B.I. pistol training school.

Burgess Williams reported that one or two new police women will be needed for the fall school season due to resignations. The appointment of one additional policeman is also recommended. In this connection it was advised that the Civil Service Commission has conducted an examination for policemen and an eligibility list with only one name listed has been received.

Burgess Williams reported that the pistol range being constructed by the Hatboro and Upper Moreland Police Departments is nearing completion.

Burgess Williams presented a report of the activities of the Police Department for the month of May.

Burgess Williams presented a letter of resignation dated June 22, 1959 from Mr. Shawn Pendleton as a member of the Shade Tree Commission effective July 1, 1959.

Mr. Platten discussed the Civil Service examination held July 1 and due to the fact that only one man qualified for appointment, suggested that another examination be held sometime prior to the end of the year. He recommended that more publicity be given concerning the pay scale and the benefits of the Police Department. He also recommended that one additional policeman be appointed on January 1, 1960.

A motion was made by Mr. Platten, seconded by Mr. Haigler, and approved by the Council to accept the resignation of Mr. Pendleton as member of the Shade Tree Commission with regret.

It was agreed that a letter should be sent to the School Board concerning the use of the Loller School Building as a community building.

Mr. Palmer reporting for the General Administration committee advised that his committee had considered the question of paying one of the Maintenance Department employees who had been injured while working. Workmen's Compensation payments do not commence until the eighth day after injury. The committee recommends that the employee be paid full pay for the first week with Workmens Compensation to be paid for any additional time lost due to injury. The Council agreed that the recommendation of the Committee would be accepted as Borough policy.

Mr. Palmer reported that in connection with the report to the residents, prices had been obtained for: composition (\$50), art work (\$25), engraving (\$50), type (\$15), and printing (\$100 - \$200). The Council agreed that the committee should proceed with the report for distribution as early as possible.

Dr. Brooks reporting for the Public Works committee advised that the swimming pool membership sales to June 26, 1959 were as follows:

361	children	@ \$7.50	
54	adult	@ 15.00	
403	family	@ 30.00	\$15,607.50
	memberships after 6/1/59		<u>210.00</u>
	Total		\$15,817.50

In connection with the above it was noted that the budget figure for membership income was \$14,750.00. Total receipts for pool and stand to June 30 were \$18,032.32.

Dr. Brooks reported that due to numerous complaints received from residents concerning crowded conditions at the pool on weekends and holidays, the Park Board had issued a regulation that no guests are to be admitted on Saturdays, Sundays, and holidays. Following a discussion during which several councilmen expressed opinions against the above rule, Dr. Brooks reported that he would discuss the matter with the Park Board.

Mr. Haigler vacated his seat at the council table at this time so that further consideration could be given to the Gniewek zoning petition.

Consideration of the 20 items of agreement to be considered in connection with the Gniewek zoning petition was continued with a discussion of Item #18--the granting of a right of way at no cost to the Borough for the extension of Evergreen Avenue through to County Line Road. Mr. Jones expressed objections to the approval of the right-of-way across the Gniewek property as it would encourage the flow of heavy shopper traffic through the Mitchell Park area. Mr. Jones suggested that Item #18 be removed from the list of items. Mr. Platten recommended that a vote be taken on all 20 items.

A motion was made by Mr. Newcomb, seconded by Mr. Jones, that Item #18 be removed from the list of items in connection with the zoning petition. The vote on the motion was: For--Messrs. Jones and Newcomb; Against--Messrs. Palmer, Platten, Brooks, and Rudolph. The motion was declared defeated.

Mr. Jack Frant questioned Item #19 in which the Council wishes to dictate the exact tenant using building for a period of 20 years. It appears that yearly Borough approval will be required for the tenants.

Item #17 concerning construction and completion was revised to require construction to start within 180 days and the following phrase was added: "exclusive of time lost by reason of causes beyond the control of the owner".

Mr. Frant also objected to requirement under Item #20: "Complete paving is to be furnished by the developer on the sides of York Road and County Line Road adjoining the property." It was agreed that temporary paving would be acceptable.

Solicitor Henderson suggested that the 20 conditions of approval be incorporated in an agreement between the Borough and owner as a requirement of the zoning ordinance change. Mr. Frant suggested that the conditions be incorporated in the granting of the building permit.

The final form of the 20 items of approval is as follows:

CONDITIONS OF APPROVAL FOR A CHANGE OF ZONING CLASSIFICATION FOR THE PROPERTY OF JOHN AND TEOFILA GNIEWEK, SOUTHEAST CORNER OF COUNTY LINE AND YORK ROADS, HATBORO, PENNSYLVANIA

1. Drainage. The owner will provide a bond not to exceed \$15,000 to the Borough guaranteeing the construction of storm drainage facilities in accordance with the requirement of the Borough Council and Borough Engineer.
2. Service Driveway. The service driveway at the south wall of the building shall be 20 ft. to 25 ft. wide, building to party line.
3. Inside Curbing. Adequate curbing should be installed on the south and east property lines abutting adjoining properties to control the flow of rain water.
4. Screening. Adequate screening is to be provided by the owner and may consist of hemlock, Scotch pine, white pine or tall growing arborvitae.
5. Curb and Sidewalk. Curb and sidewalk shall be installed on the County Line Road and York Road frontages in accordance with Borough requirements.
6. Fencing. Post and chain or post and rail fencing shall be installed on the County Line and the York Road frontages at the boundaries of the parking areas.
7. Fencing. Cyclone fence at least 3 ft. in height shall be installed on the south and east property lines abutting adjoining properties.
8. Vehicle Entrances and Exits. The location and size of entrances and exits shall be subject to the approval of the Borough. Review and relocation of entrances and exits by the Borough within one year of the beginning of the operation of the stores shall be retained by the Borough, and subject to approval of Pennsylvania State Department of Highways.

9. Traffic Control. Any traffic control signs, signals or lights required by the State or Borough for the entrances and exits shall be paid for by the owner, providing owner is not required to pay cost of installing lines to any point beyond property, except directly across streets.
10. Parking Lot Lighting. The method and arrangements of lighting the parking lot shall be acceptable to the Borough and shall not interfere with traffic or abutting residents.
11. Parking Spaces. A minimum of 455 spaces and a maximum of 475 spaces, measuring 10' x 20' shall be furnished along with adequate aisles and driveways subject to the approval of the Borough Engineer. The paving of the parking area shall be 6" stone base and 2" black top for the customer parking area and 8" stone base with 2" black top on the service driveway.
12. Sanitary Sewers. The owner shall be required to connect the proposed building to the Upper Moreland-Hatboro Joint sewer system.
13. Land Dedication. The owner shall dedicate to the Borough the required land to widen both York Road and County Line Road and provide the indicated radius at the intersection in accordance with drawing #0-59097 dated 6-4-59, revised 6-8-59, prepared by Haggerty, Boucher & Hagan, Inc., at no cost to the Borough.
14. Refuse Collection. Garbage, trash and rubbish shall be handled and disposed of by the owner at no cost to the Borough. Disposal shall be on a daily basis.
15. Merchandise Delivery. The delivery of merchandise and supplies to the stores shall be done only between the hours of 8:00 A. M. and 9:30 P. M. and on Monday through Saturday inclusive. Parking on the property shall be restricted to the same hours.
16. Performance Bond. A performance bond to the Borough covering all improvements at a total value to be determined by the Borough Engineer, is to be furnished by the title owner after conveyance is secured by corporate surety acceptable to the Borough. The improvements to be covered by the above bond are storm and sanitary sewers, lighting, shrubs and screening, sidewalks and curbs, traffic control devices and fencing.
17. Construction and Completion. Construction to start within 180 days after all Borough requirements are met and completion shall be within one year after the date of commencement of work, exclusive of time lost by reason of causes beyond the control of the owner.
18. Evergreen Avenue Right-of-Way. A right-of-way agreement for the extension of Evergreen Avenue through to County Line Road, extending at a width of 30' as a straight line extension of present street as a 30' cartway is to be furnished at the request of the Borough with the cost of improvement not to be assessed to the owner.

19. Lease Conditions. Lease for variety store to tie with W. T. Grant for a term of 20 years and lease for super-market to be with a company having not less than 75 other stores comparable in size to proposed super-market
20. Street Paving. Temporary paving of York Road and County Line Road on sides adjoining property shall be required of the owner.

A motion was made by Dr. Brooks to adopt the following ordinance: To amend Ordinance No. 283 by revising the Zoning Map to change the classification of premises situate at County Line and York Roads described as follows: from A and C Residential to Retail subject to the applicants and their purchaser entering into a written agreement in recordable form embodying the 20 provisions heretofore approved by Council and the applicant and initialed by the Borough Secretary.

There being no second to the motion, the adoption of the above ordinance was declared void.

A motion was made by Mr. Platten, seconded by Mr. Rudolph, to adjourn the meeting; the time being 9:55 P. M. The vote on the motion was: For--Messrs. Palmer, Platten, Brooks, Jones, Rudolph; Against--Mr. Newcomb.

Thomas Q. Mc Clellan

Secretary

July 13, 1959

The regular meeting of the Borough Council was held in the Municipal Building on the above date.

The meeting was called to order by President Jones at 8:05 P. M. with the following present: Councilmen Jones, Brooks, Platten, Haigler, Rudolph, Newcomb, and Palmer; Burgess Williams, Solicitor Henderson, Treasurer Gintowt, Superintendent Stauch, Engineer Haggerty; fifteen residents and three press representatives.

The invocation was given by Dr. Williams.

Mr. Henry Davis of Philadelphia Electric Company presented plans for the placing underground of electric service wires on both sides of York Road from the Library to Smith Chevrolet Company. Work is planned to be started by August 1. The complete cost of the work is to be covered by the electric company with no expense to the Borough or property owners. It is expected the underground work will be completed within two months. In connection with the above work, a proposal has been made by the electric company to furnish steel poles for the street lights at a cost of \$2,960. to the Borough. It was also noted that a majority of the poles in the area involved on the east side of York Road are Bell Telephone Company poles and may remain for some time after the electric company work is completed. Mr. Haigler questioned the use of 3-way reflector type fixtures on 3-way intersections. Mr. Kay advised that he will investigate the use of this type of fixture. Mr. Platten recommended that action on the installation of steel poles be withheld till the Bell Telephone Company is contacted. The Finance Committee will also give consideration to the expenditure. Mr. Davis indicated that a final decision on the poles will not be necessary for some time.

The minutes of the Council meeting of June 15 were presented for approval.

Mr. Haigler pointed out that an addition should be made to the minutes after the recording of the Albert M. Greenfield letter to indicate that the dimensions listed in the letter are not the same as the dimensions of the Haigler property. In a further correction of minutes, Mr. Jones stated that Mr. Haigler claimed that no real estate office had ever made an offer for his property. Mr. Jones further stated that Bailey and Associates had made an offer for the Haigler property. Mr. Haigler stated that Mr. Jones is a liar in making this statement. Mr. Jones suggested that a hearing be conducted with witnesses to be called to testify concerning the facts. Mrs. Haigler advised that she had checked with the office of Bailey and Associates and had been advised that they have no record of an offer on the Haigler property.

Mr. Edward McCarty questioned that if no Councilman calls for a hearing can a citizen call for such a hearing. Mr. Jones indicated that many involved are not interested in such a hearing. Mr. Platten stated that Mr. Jones does not speak for him in this opinion. Mr. Jones further stated that including the Gaffney and Greenfield letters in the minutes does nothing to help Hatboro. Mr. McCarty expressed the opinion that the persons guilty in the controversy should be removed and those unjustly accused cleared. Mr. Palmer suggested that

Mr. McCarty be appointed chairman of the committee to investigate the issue. Mr. McCarty indicated that he favored an open hearing and if necessary he will investigate the matter completely and bring out the facts.

Mr. Jones questioned Mr. Platten and Dr. Brooks if they had ever heard of an offer being made for the Haigler property. Dr. Brooks advised that he had heard of an offer from Bailey and Associates for \$35,000. in 1955. Mr. Platten indicated that he had never heard of an offer being made for the above property.

Dr. Brooks questioned the legality of Council holding a hearing in connection with the above controversy. Solicitor Henderson reviewed the Borough Code and advised that a hearing can be conducted by Council members only and that the question must be related to legislative work of the Council such as an ordinance or resolution or a regular legal Council function. The judgement of who is right or who is wrong is not within the power of Council to decide but facts alone can be heard. Mr. McCarty indicated that there appears to be collusion between the Justice of the Peace and Councilmen and that pressure and blackmail are indicated against councilmen. He also expressed the opinion that there is a prejudiced representation on Council. Mr. Jones stated that when the voters go to the polls it is up to them to decide at this time. Mr. McCarty indicated that the problem created is in Council criticizing each other and in Council not making decisions properly required of Council. He further indicated that if both sides of the controversy are sure of their statements, there must be proof and it should be produced for the public view and hearing.

Mr. Haigler indicated that he had made no accusations but had asked for proof of accusations made by others against him. Mr. McCarty stated that he had worked with both parties in the controversy during the past election campaign and cannot understand the feelings at this time. He suggested that those on Council not interested in serving in their position resign from Council. He further indicated that few residents would accept a position on Council which requires such exposure to ridicule.

Mr. William Dwyer, a new resident of the Borough, suggested the bringing in of witnesses concerning the alleged offer for the Haigler property. Mr. Newcomb suggested that a separate meeting be set aside to investigate the controversy. Mr. McCarty recommended that Mr. Rudolph be appointed chairman of a committee to head the investigation. Mr. Rudolph indicated that he preferred to await the final approval of the minutes. Mr. Newcomb suggested that a tape recorder be obtained to record all Council proceedings.

Following a further discussion in which various corrections were made in the minutes of June 15 meeting, a motion was made by Mr. Palmer, seconded by Dr. Brooks, to approve the minutes of the Council meeting of June 15 and 20 as corrected. The vote on the motion:-- For--Messrs. Haigler, Platten, Rudolph, Newcomb, Dr. Brooks; Against: --Messrs. Palmer and Jones.

Mr. Rudolph in referring to the Gaffney and Greenfield letters contained in the minutes of June 15 meeting indicated that serious charges have been made involving Mr. Moffa and due to this position in the Borough, therefore, introduced the following resolution for adoption:

A RESOLUTION

WHEREAS, the Council of the Borough of Hatboro, having been presented, in regular Council Meeting of 15 June 1959, with information and signed statements relating to conversations between Mr. Albert J. Moffa and certain representatives of the Albert M. Greenfield Company of Philadelphia, and

WHEREAS, statements included in these conversations allude to an offer by Mr. Moffa to influence certain members of the Borough Council of Hatboro in the rendering of a decision on a zoning question before Council, and further statements indicate action on the part of Mr. Moffa to conspire for the purpose of defaming the character of a member of Borough Council for political advantage, and

WHEREAS, the foregoing may reasonably be regarded as behavior not in keeping with Mr. Moffa's position as a Justice of the Peace, and as reason to question his fitness to perform the duties of this position with the required impartiality, good judgement, and integrity, and

WHEREAS, Mr. Moffa, as Justice of the Peace, is indeed an Officer of the State of Pennsylvania, and therefore under the cognizance of the Attorney General of this State,

BE IT THEREFORE RESOLVED, that the Attorney General, Commonwealth of Pennsylvania, is hereby petitioned to investigate the aforementioned statements and actions of Mr. Albert J. Moffa, to determine if these statements and actions constitute valid reason for censure and/or impeachment, and

BE IT FURTHER RESOLVED, that copies of the following named documents be furnished the office of the Attorney General forthwith.

- a. Signed statements of Mr. John J. Gaffney
- b. Minutes of Hatboro Council meeting of 15 June 1959.

There was a discussion concerning section B which referred to a written statement of Mr. McCarty which had not been presented to Council to date. Mr. McCarty preferred that the statement be withdrawn from the resolution as he did not believe that the Councilmen were performing their duties properly. Council agreed to remove section B. Mr. Rudolph expressed his apologies to Mr. McCarty for involving him in the resolution. Mr. Newcomb referred to the Greenfield letter concerning the offer of \$90,000. and indicated that as representatives of the Greenfield office had denied responsibility for the \$90,000. offer, it also appears that Mr. Gaffney's letters were also unreliable. He further indicated that there appears to be a great disturbance over unreliable statements. Mr. Platten recommended that the Attorney General be asked to investigate the controversy due to Council's inability to determine the truth. Mr. Newcomb questioned the legality of Greenfield offering a person's real estate for sale without consent and Solicitor Henderson pointed out that it was not properly a criminal offense but might violate the ethics of real estate brokers. Sam Gamburg questioned the Solicitor as to Council's concern in considering the controversy and was advised by the Solicitor that Council can discuss anything it pleases as it is the sole judge of items to be discussed. Mr. Gamburg indicated that it appears that the controversy is a personal feud between councilmen. Dr. Brooks questioned if it is Council's problem to protect its councilmen and Gamburg indicated that it is Council's

responsibility to protect the Borough and its people and it should not do anything to break down the goodwill of the Borough. Mr. Newcomb questioned if the above resolution had been prepared by Solicitor Henderson. Mr. Henderson indicated that he had not prepared it nor had any knowledge of it prior to its introduction in this meeting.

The vote on the motion to approve the above resolution was as follows: For---Messrs. Platten, Haigler, Rudolph, Dr. Brooks; Against---Messrs. Newcomb, Palmer, Jones.

Mr. Haigler advised the following concerning the alleged offer for his property: In 1955 before the primary election, Mr. Bailey and Mr. Marks visited his property and discussed the value of the property but did not make an offer at that time. They returned a second time for a further discussion but made no offer. Just prior to the closing date for filing petitions for the position of councilman, a verbal offer of \$30,000. was made but no written proposal was submitted. Mr. Jones questioned about a telephone call concerning an offer but Mr. Haigler denied there was such a call.

Mr. Haigler indicated that new leadership was needed in Council to get started on the work that needs to be done. A motion was made by Mr. Haigler, seconded by Mr. Rudolph, to re-organize the position of president of council.

Dr. Brooks questioned concerning the receiving of the Greenfield letter containing the price for a property adjoining the Gniewek property. Mr. Newcomb advised that during the first zoning hearing held by Council he sat next to Mr. Frant. During the discussion of the parking requirement, Mr. Newcomb suggested that Mr. Frant buy additional ground from the adjoining property owner. Mr. Frant replied that the owner wanted an arm and a leg or \$90,000. for the property. Mr. Newcomb asked if the offer could be obtained in writing. A photostat copy of the letter was received by Mr. Newcomb just prior to the start of the meeting at which it was introduced. Mr. Houpt verified Mr. Newcomb's request for a copy of the letter.

Dr. Brooks expressed the opinion that Council, if it conducted a hearing, could not give an unprejudiced decision.

The vote on motion to reorganize position of president of Council was as follows: For--Messrs. Haigler, Rudolph, Platten; Against--Messrs. Palmer, Newcomb, Jones, Dr. Brooks. The motion was declared defeated.

Mr. Edward McCarty suggested that a letter be sent to the Greenfield office to verify the facts contained in the Gaffney letters. Dr. Brooks advised that he had contacted Mr. Sturgeon. Mr. Sturgeon advised that he had talked with Mr. Moffa, then referred Mr. Moffa to Mr. Gaffney who was handling the Gniewek property.

After Mr. Jones recommended that the investigation of the controversy be left to the Attorney General, Mr. Sam Gamburg suggested that a verification of the facts be obtained from the Greenfield office. Dr. Brooks stated that Mr. Moffa deserves to be cleared if he is innocent of the charges made. Mr. Haigler pointed out that the Gaffney letters are not Greenfield Company letters but merely notes of phone conversations written after the conversations were concluded.

A motion was made by Mr. Newcomb, seconded by Mr. Palmer, to ask the Greenfield Company for a copy of the Gaffney letters or notes on Greenfield Company letterheads.

Mr. Haigler pointed out that Mr. Gaffney affirmed the correctness of his notes in the council meeting. Mr. Platten suggested that all parties concerned be placed on the witness stand under oath to determine the truth. Mr. Jones pointed out that the investigation by the Attorney General will not clear up the issue or clear Mr. Moffa's name.

Vote on the motion above was: For--Messrs. Palmer, Newcomb, Jones; Against--Messrs. Platten, Rudolph, Haigler, Dr. Brooks. The motion was declared defeated.

Concerning the copy of the Greenfield letter, Mr. Houpt advised that the letter was presented at the meeting of April 21, 1959 when Mr. Frant stated that he had been approached by Mr. Haigler concerning his property. A motion was made by Mr. Haigler, seconded by Mr. Palmer and approved by the Council to send a copy of the resolution requesting the Attorney General's investigation to Albert M. Greenfield Company.

Mr. Houpt questioned the present status of the Gniewek zoning petition. Mr. Jones pointed out that some councilmen and Solicitor Henderson agreed that the lack of approval indicates that the issue has been settled with the zoning unchanged. Solicitor Henderson has suggested that a vote be taken. Mr. Platten questioned the Solicitor's opinion and urged that Council agree on the present status of the petition. Solicitor Henderson indicated that following the presentation of the petition and the hearing, Council took no action and, therefore, did not change the zoning map. Until further final action either way is taken by Council, any councilman may make a motion for disposition of the petition.

Mr. Houpt summarized the position of the petitioners as follows: He pointed out that commercial use exists on practically all sides of the property. He has heard it stated that Council should disregard the zoning status in Warminster Township adjoining the property on the north side. He questioned the fairness of such action and indicated that the court would probably not agree. He pointed out the commercial use of a gas station, a building contractor, apartment houses, photographer, and a church in the immediate neighborhood. Due to the existing uses, Council should consider possible future uses from Summit Avenue to County Line. Mr. Houpt also questioned the report that Borough residents are willing to pay higher taxes rather than permit increased commercial development. He questioned the control over the individuals as they may move from the Borough due to work or health reasons. Mr. Houpt reported that Mr. Frant will guarantee an annual tax income to the Borough of \$6,000. for a period of five years following the completion of the project. He further indicated that the developer is giving at no cost to the Borough, an 18½ ft. strip of ground along County Line Road with all improvements. He is also improving the property with high grade stores and agreeing to control of the use and type of tenant by the Borough. Mr. Houpt advised that he had heard a rumor that the proposed stores could be transferred to the Lucy Barnes Property. He advised that this rumor is not true. Several New York commercial developers are following this petition with interest which may have a bearing on the possible future development of the Lucy Barnes property. Mr. Houpt suggested that the adjoining property owners will benefit if the project is approved. He defended the benefit to be derived by the

property owners as being legal and proper. Mr. Houpt objected to his client being made the scapegoat of the Haigler-Moffa controversy. He urged that Council disregard all personal differences and consider the petition on its merits. He also urged that Council consider the change to commercial zoning of the area on the east side of York Road from Summit Avenue to County Line Road.

Dr. Brooks questioned the \$6,000. tax income from the property. Mr. Jones suggested that a motion for the Gniewek zoning petition be withheld until a later date.

A motion was made by Mr. Palmer, seconded by Dr. Brooks, that the following ordinance be adopted:

To amend Ordinance No. 283 by revising the Zoning Map to change the classification of premises situate at County Line and York Road described as follows: (Legal description of the Gniewek property) from A and C Residential to Retail, subject to the applicants and their purchaser entering into a written agreement in recordable form embodying the 20 provisions heretofore approved by Council and the applicant and initialed by the Borough Secretary.

A motion was made by Mr. Platten, seconded by Mr. Palmer, to table the vote on the adoption of the above ordinance until the August Council meeting to be held on August 17, 1959. The vote on the motion was: For---Messrs. Rudolph, Platten, Jones, Newcomb, Palmer, Dr. Brooks; Mr. Haigler abstained from voting on the motion. The motion was declared approved.

A motion was made by Mr. Platten, seconded by Mr. Rudolph, and approved by the Council to set the date of August 17, 1959 as the meeting date for the regular August Council meeting.

Mr. Newcomb presented a subdivision plan for a property listed as 440 Crescent Road, Lots #162 and 7, property of John Cole. A motion was made by Mr. Newcomb, seconded by Dr. Brooks, and approved by the Council to approve the above subdivision.

Mr. Newcomb presented a plan for Lots #138, 139, 140 on west side of Jefferson Avenue, south of Corinthian Avenue. The plan made the division of three 50-ft. lots into two 75-ft. lots. Mr. Newcomb recommended the approval of the plan with the requirement that curbs and sidewalks be installed by the owner and that the street be built and assessed to the abutting property owners. Following a discussion, it was agreed to defer a decision on this plan until the August meeting.

Mr. Rudolph presented a letter from the State Department of Health offering to conduct a survey of the restaurants and eating places in Hatboro preparatory to setting up a regular inspection program to be performed by the local health officer; this survey to be at no cost to the Borough.

A motion was made by Mr. Rudolph, seconded by Dr. Brooks, and approved by the Council to authorize the acceptance of the above offer with the provision that no cost to the Borough be involved.

Mr. Haigler reported that the new rubbish truck is expected this week; when put in service, collections will start at both ends of the Borough.

Motion was made by Mr. Palmer, seconded by Mr. Newcomb, and approved by the Council to recess the meeting till July 16, 1959 at 8:00 P. M., the time being 11:36 P. M.

Prior to the above motion, the following bills were presented for payment by the Secretary and approved by the Council:

<u>Vo.#</u>	<u>Vendor</u>		
305	Bux-Mont Municipal Pool League	\$	25.00
306	American Playground Device Co.		191.47
307	M. A. Bruder & Sons, Inc.		35.23
308	B-I-F Industries, Inc.		8.97
309	Bell Telephone Co. of Pennsylvania		125.28
310	Bell Telephone Co. of Pennsylvania		10.26
311	Ballard, Spahr, Andrews & Ingersoll		232.35
312	Jim Baner Ford, Inc.		9.76
313	Jim Baner Ford, Inc.		32.99
314	Jim Baner Ford, Inc.		2,196.92
315	Dagostino Company		287.51
316	C. & C. Supply Co.		6.90
317	C. & C. Supply Co.		6.35
318	Columbia Ribbon & Carbon Mfg. Co., Inc.		1.90
319	Cameron's Sanitary Landfill		94.00
320	Eric Belar		19.75
321	Brooks Paint Store		45.03
322	J. Fegely & Son Hardware Co.		8.10
323	Erwin Printing, Inc.		14.00
324	Eureka Stone Quarry, Inc.		169.21
325	Allen B. DuMont Laboratories, Inc.		463.74
326	Delaware Valley Concrete Co.		9.68
327	Frank G. Firard Post 271, American Legion		65.00
328	Galer & Hults, Inc.		4.50
329	Galer & Hults, Inc.		69.86
330	Grove Supply, Inc.		14.36
331	W. W. Grainger, Inc.		113.24
332	Federal Laboratories, Inc.		59.18
333	A. C. Frattone		8.40
334	Erwin Printing, Inc.		35.75
335	Sarah Fox		15.50
336	Ambler Laboratories		197.25
337	Hatboro Cycle Shop		6.00
338	Henderson, Wetherill & O'Hey		17.50
339	Hatboro Cycle Shop		15.50
340	Hatboro Borough Authority		571.57
341	Hatboro Concrete Block Co.		24.24
342	Mr. Knox Henderson		125.00
343	Hatboro Hardware		11.75
344	Hatboro Hardware		38.47
345	Hatboro Borough Authority		506.25
346	Hatboro Borough Authority		5.26
347	Hatboro Borough Authority		6.62
348	Hatboro Lumber & Fuel Co.		50.21

<u>Vo.#</u>	<u>Vendor</u>	
348	Hatboro Lumber & Fuel Co.	50.21
349	Hatboro Borough Authority	5.98
350	I. M. Jarrett	71.07
351	Industrial Products Co.	5.98
352	The Intelligencer Co.	9.05
353	Hirsch Tyler Co.	455.00
354	Henricks Pretzel Co.	268.25
355	Holicong Saw Shop	2.00
356	Wm. Hobensack's Sons	6.00
357	Hatboro Lions Club	60.00
358	The Kelly-Springfield Tire Co.	7.33
359	Proportioneers, Inc.	28.03
360	Philadelphia Electric Co.	277.04
361	Parnell Pharmacy	3.47
362	Marsden's Gas Service	24.00
363	Miller & Cornell, Inc.	10.10
364	Milbury Atlantic Co.	71.87
365	Mandes Bros.	24.77
366	Martin Century Farms	80.40
367	Metropolitan Bottling Co., Inc.	186.96
368	Lance, Inc.	108.70
369	E. S. McVaugh	14.54
370	Montgomery Publishing Co.	4.40
371	Philadelphia Electric Co.	894.25
372	Fred Krauskopf & Associates	136.85
373	Lou's Sunoco	2.15
374	Martin & Bradley	3.08
375	Markovich Auto Parts	.27
376	Keystone Hi-Way Traffic Equipment Co.	115.80
377	Sinclair Refining Co.	27.50
378	Sinclair Refining Co.	186.90
379	Roxy Lawnshear Corp.	4.95
380	Philadelphia Electric Co.	11.30
381	Commonwealth of Pennsylvania	999.04
382	Director of Internal Revenue	1,083.37
383	Philadelphia National Bank - Trustee	2,917.28
384	Philadelphia National Bank - Corporate Trust	550.00
385	Sinclair Refining Co.	166.34
386	Taggart's Hardware	39.81
387	J. Alvin Wolverton	7.00
388	Albert Steinberg & Co.	28.76
389	J. B. Winder, Jr.	15.10
390	Albert Steinberg & Co.	39.75
391	Upper Moreland-Hatboro Joint Sewer Authority	8.02
392	Bux-Mont Office Supply Co.	52.19
393	Bux-Mont Office Supply Co.	6.55
394	Stewart In-Fra-Red Commissary	323.43
395	Upper Moreland-Hatboro Joint Sewer Authority	80.34
396	West Chemical Products Inc.	5.34
397	Zaritsky Bros.	10.95
398	Miller & Cornell, Inc.	49.99
399	Martin Witchwood Ice Cream	359.16
400	Accounting Adjustment	50.01
401	Accounting Adjustment	230.28
402	Miller & Cornell, Inc.	110.65

Thomas A. McClurken

July 16, 1959

The recessed Council meeting of July 13 was reconvened on the above date in the Municipal Building.

The meeting was called to order at 8:15 P. M. by President Jones with the following present: Councilmen Platten, Brooks, Jones, Haigler, and Rudolph, Burgess Williams, Solicitor Henderson, Superintendent Stauch, Treasurer Gintowt, six residents and three press representatives.

Burgess Williams reporting for the Public Safety Committee advised that complaints have been received of speeding on Home Road. The complaints have been investigated and it is reported that the cost of installing speed signs is excessive for the results that might be obtained. It was suggested that signs to prohibit truck traffic be installed.

Burgess Williams advised that a letter had been sent to the Planning Commission and the H.C.C.A. outlining the revisions to parking and traffic control regulation on York Road contained in Mr. Platten's letter of May 28, 1959, asking for their recommendation concerning the proposed changes. Replies from the two organizations have not been received to date.

Burgess Williams presented the reports of the Plumbing Inspector and Building Inspector for the month of June 1959.

Burgess Williams urged that arrangements be made with the School Board in connection with the use of the Loller School Building as headquarters for the Civil Defense. The Secretary advised that the applications forwarded to Civil Defense Headquarters at Norristown for matching funds in connection with the purchase of radio equipment by the Fire Company had been returned due to the lack of a Civil Defense Director for the Borough. The forms returned also covered an application for complete replacement of radio equipment of the Fire Department. It appears that without a Civil Defense Director the Borough or the Fire Company may be deprived of approximately \$2,700. state aid appropriation as matching funds for Civil Defense work.

In this connection, Mr. Havard Jones volunteered to accept appointment as Director of Civil Defense for the Borough.

A motion was made by Dr. Brooks, seconded by Mr. Rudolph, and approved by the Council to grant Council's approval to the appointment of Mr. Jones as Civil Defense Director by Burgess Williams.

Mr. Platten discussed in detail the recommendations contained in his letter of May 28, 1959 concerning changes in parking and traffic control regulations on York Road. Following a discussion, a motion was made by Mr. Platten, seconded by Mr. Haigler, to direct the following changes be made in the York Road traffic and parking regulations:

1. Add a constant green arrow permitting right turns at all times for traffic traveling north on York Road and thence moving east on Byberry Avenue.
2. Eliminate the two parking spaces, east side of York Road between Byberry and Rorer Avenues and restrict the spaces to right turn traffic only.

3. Remove the parking space from in front of Burdick's and the three parking spaces from in front of the Philadelphia National Bank.
4. Move the bus stop south to the spaces in front of the Bank.
5. Keep existing bus stop area free of parking at all times.
6. Prohibit the entering of York Road from the municipal parking lot.
7. Prohibit northbound traffic on York Road from entering the municipal parking lot.
8. On Friday evenings only, to bag every third parking meter on both sides of York Road between Byberry and Moreland Avenues.

Vote on the above motion was: For---Messrs. Platten, Haigler, Rudolph, Dr. Brooks; Against---Mr. Jones.

Dr. Brooks questioned taking action on this matter before replies are received from the Planning Commission and the H.C.C.A.

Burgess Williams advised that on July 16, 1959, the Hatboro Appliance Company had presented an RCA tape recording machine to the Borough. A motion was made by Mr. Platten, seconded by Mr. Haigler, and approved by the Council, according a vote of thanks to Mr. Purpura, proprietor of the Hatboro Appliance Company.

Mr. Rudolph reporting for the Health and Sanitation committee presented the report of the Assistant Health Officer which indicated that complaints of rats had been received and investigated in several places in the Borough. A report that oil had been flowing into Pennypack Creek from the Fischer Porter plant has been investigated and remedied. Mr. Rudolph advised that many rat complaints had been received and if the complaints continue it may be advisable to retain the services of an exterminator. Concerning the contamination of Pennypack Creek by several Warminster industrial firms, it was reported that no sewer connections have been made to date to remedy the situation.

Mr. Rudolph recommended that Mr. Wilcke be authorized to purchase 15 gallons of gasoline per week as required in his various Borough positions. Council agreed to the above recommendation.

Mr. Haigler reporting for the Highway committee advised that the new rubbish collection truck is expected to be received before July 23.

It was also reported that the Maintenance Department is repairing the storm sewer at the rear of the Gamburg property and expects to complete the repairs up to Moreland Avenue by July 24. Needed additions to the storm sewer passing under Lehman Avenue at Bank Street will also be made.

Mr. Haigler advised that the committee recommends the purchase of a Tarco salt spreading machine. Purchase of this item at this time will permit the saving of \$100. due to a pending price increase. It is also expected that due to the saving in the cost of salt, the machine may pay for itself in two years.

In order to permit the purchase, a motion was made by Mr. Haigler, seconded by Dr. Brooks, and approved by the Council to adopt the following resolution:

RESOLUTION

RESOLVED, that the amount of \$575.00 be transferred in the 1959 budget from Account #36-B Ash and Rubbish Collection and Disposal--Capital Outlay to Account #41-U Highway--Purchase of Major Equipment.

Mr. Haigler presented a report received from Engineer Haggerty concerning the construction of curbs and sidewalks in the vicinity of the two elementary schools, this report the result of a meeting held on June 27, 1959 by the General Administration committee. The report with estimates covered installation of curbs and sidewalks as follows:

1. Windsor Avenue between Summit and Meadowbrook Avenues; curbs on both sides, sidewalks on west side only.
2. Meadowbrook Avenue--Windsor Avenue to Railroad; curb on both sides with sidewalks on north side.
3. Bonair Avenue--Meadowbrook Avenue south to existing curb, curbs on both sides.
4. Chester Avenue--Williams Lane south to Spring Avenue; Sidewalks on west side -- Williams Lane to Lehman Avenue; sidewalks on east side --Lehman Avenue to Spring Avenue.
5. Lehman Avenue--Chester Avenue east to church property; sidewalks on south side; complete sidewalk on northeast corner Lehman Avenue and Bank Street.

The estimate indicated a total cost of \$29,738. including additional road paving to the new curbs.

It was recommended by the committee that a letter be sent to all residents involved in the above program advising of the possible construction of curbs and sidewalks as Council intends to take final action at the August meeting. Mr. Haigler also recommended that the installation of curbs on the west side of South York Road be considered.

Mr. Platten recommended that curbs and sidewalks covered by the above report be ordained and directed to be installed and that the necessary funds be appropriated.

A motion was made by Mr. Haigler, seconded by Mr. Platten, and approved by the Council to adopt the following ordinance ordaining the construction of curbs on the west side of South York Road:

ORDINANCE

An Ordinance ordaining and laying out curbing on the West Side of South York Road in the Borough of Hatboro.

The Council of the Borough of Hatboro ordains:

Section 1. Curbing is hereby ordained and laid out on the West side of South York Road in the Borough of Hatboro at a distance of 22 $\frac{1}{2}$ feet from the center line of said South York Road and along the following portions of said South York Road:

- (a) From the centerline of Crooked Billet Road, north approximately 222 feet to the end of the existing curb, with radius corner on the North side of Crooked Billet Road.
- (b) From the centerline of Crooked Billet Road, south approximately 736 feet to the South Borough Line, with radius corner on the South side of Crooked Billet Road

It was also agreed that the State Highway Department would be contacted in connection with the full width paving of South York Road, that the Borough Superintendent would prepare an estimate for temporary paving and that Engineer Haggerty would estimate the cost of curb construction on South York Road. Mr. Platten recommended that the State Highway Department be petitioned to reconstruct the storm drain culvert at Crooked Billet and York Roads.

A motion was made by Mr. Haigler, seconded by Mr. Platten, and approved by the Council to adopt the following resolution covering the above items:

RESOLUTION

RESOLVED, That the Highway Department of the Commonwealth of Pennsylvania be petitioned to construct a permanent road surface between the existing paving and the proposed curbing on South York Road from the South Borough Line, north to the existing full width paving.

AND FURTHER, That a new and adequate drainage culvert be provided at the intersection of York Road and Crooked Billet Road.

Mr. Haigler presented a resolution which was read by the Secretary concerning the Haigler-Moffa controversy directing that a hearing be conducted by Council to determine the true facts of the problem.

Mr. Haigler moved that the resolution be adopted. Mr. Platten asked if Mr. Haigler would agree to testify and be cross-examined at the hearing. Mr. Haigler agreed.

In response to a question raised by Dr. Brooks, Solicitor Henderson stated that a hearing held by Council must be related to a definite subject or legislation which in this case could be the Gniewek zoning petition. Mr. Jones advised that previous statements made by him relative to the Haigler property were in connection with real estate assessments and the possible purchase of the Stevens property adjoining to the south. Dr. Brooks asserted that Mr. Jones

has claimed that Mr. Haigler was given an offer for his property in his home. Mr. Haigler stated that the offer was given more than two years ago.

Dr. Brooks questioned if the Gniewek zoning petition for a zoning change is a problem relative to Council's business. Solicitor Henderson pointed out that as the integrity of a councilman is the issue, it is Council's concern. The question of whether an offer was made and whether or not Mr. Haigler's judgement in the zoning case was affected briefly summarizes the controversy in Mr. Haigler's opinion. Solicitor Henderson pointed out that Council may have a hearing, not to determine the truth of statements made but whether or not the votes of Councilmen were influenced.

The following revised resolution was moved for adoption by Mr. Haigler:

RESOLUTION

RESOLVED, that this Council convene under Section 1014 of the Borough Code and summon Anthony C. Frattone, William J. Massinger, John J. Gaffney, Jr., Robert Sturgeon, Jordan A. Katz, and Jack Frant to prove their statements in connection with the Haigler property to determine whether or not any improper influence was exerted in connection with the zoning application of John Gniewek, and

BE IT FURTHER RESOLVED, that since the accusations if true involve documented transactions, documented proof shall be required, and repetitions of accusations and hearsay shall not be admitted.

Mr. Platten recommended that Mr. Jones second the adoption of the above resolution. Mr. Jones indicated that the above resolution does not properly cover the problem and doubts if this council can properly judge the situation as Councilmen Platten, Brooks, Haigler, and Rudolph constitute a faction in Council. Dr. Brooks pointed out that Councilmen Jones, Newcomb, and Palmer also represent a faction in Council. Mr. Jones questioned Dr. Brooks in connection with his Republican Independence newspaper if he thought that he (Jones) had ever accepted graft, money, gifts, favors, or had tickets fixed. Dr. Brooks stated he did not and pointed out the question is not whether you did any of these things and that all graft is not carried in a black satchel. He also pointed out that Mrs. Jones works for Mr. Moffa and may, therefore, be influenced by Mr. Moffa. Mr. Jones pointed out that Mrs. Jones works for Mr. Moffa in his business and is in no way involved in Mr. Moffa's political activities.

Mr. Jones stated that the faction of Palmer, Newcomb, Jones and Moffa has never had a meeting outside the council room. Mr. Jones also pointed out that statements made by him concerning the Haigler property were in connection with the assessed valuation and property value. Mr. Jones claimed that Mr. Haigler endeavored to purchase the adjoining Stevens property and made a statement that the assessment of the Stevens property should be greatly increased. Mr. Jones also claimed that Dr. Brooks and Mr. Platten had knowledge of the offers for Mr. Haigler's property. Mr. Jones recommended that Mr. Gaffney be called to the

council hearing. Mr. Platten asked Mr. Jones to second the motion to adopt the resolution, if not, Mr. Platten will.

Mr. Jones recommended that the hearing be conducted on the facts and statements made by him. He also claimed that Mr. Haigler greatly distorted his statements and their importance. Mr. Jones left the meeting at this time. (10:00 P. M.)

A motion was made by Dr. Brooks, seconded by Mr. Haigler, and approved by the Council to elect Burgess Williams as president pro tempore of Council.

Mr. Haigler indicated that the reason for limiting the resolution to the Gniewek property was that if an option exists for the purchase of the Haigler property, the documents should be produced. If an offer was made, it should be produced in writing; if the claims made by Mr. Jones are true the above documents should be produced.

After Mr. Platten seconded the motion made by Mr. Haigler to adopt the above resolution, Council voted to approve the resolution.

Dr. Brooks reporting for the Public Works committee advised that receipts to July 9 at the pool and stand amounted to \$18,898.60.

Dr. Brooks advised that Mr. Alan Shank, a resident of the Borough, in order to complete the requirements of his degree in studies at the University of Pennsylvania in government must work for a period of six months in a local government office. This work will be at no cost to the Borough and is to start on August 1, 1959.

A motion was made by Dr. Brooks, seconded by Mr. Platten, and approved by the Council to permit Mr. Alan Shank to work for the above period in the Borough office as indicated.

Mr. Platten indicated that his services may be used by the Ordinance Review committee.

Mr. Platten reporting for the Finance committee discussed the budget report for the month of June and advised that \$10,000. was borrowed on July 1. After payment of invoices presented for approval at this meeting, an additional \$10,000. must be borrowed.

Mr. Platten advised that his committee is giving consideration to the installation of air conditioning equipment in the Municipal Building for all rooms except the council room, possibly using well water in the system.

William Benner, whose plan for subdivision of lots on Jefferson Avenue is being considered by the Council objected to being assessed for the cost of street construction. Richard Cornell questioned the past policy of assessing street construction costs to abutting property owners. It was pointed out that at no time have such assessments been made except in the case of large developments. Mr. Platten stated that perhaps a new policy may be established by Council. Mr. Benner pointed out that he has taken three lots and divided the property to build two houses and he questioned that such action would come under subdivision control. Solicitor Henderson pointed out

that one of the three lots was being divided and, therefore, it constituted subdividing. Mr. Platten suggested that a special meeting of Council be arranged to obtain approval of the plan.

A motion was made by Dr. Brooks, seconded by Mr. Platten, and approved by the Council to adjourn the meeting, the hour being 10:30 P. M.

Thomas A. McQuirk

Hatboro, Pa.
August 17, 1959

The regular meeting of the Borough Council was held in the Municipal Building on the above date.

The meeting was called to order at 8:15 P.M. by President Jones with the following present: Councilmen Platten, Jones, Haigler, Newcomb, Palmer, Brooks, Rudolph; Burgess Williams, Solicitor Henderson, Treasurer Gintowt, Superintendent Stauch; 3 press representatives and approximately 125 residents.

The invocation was given by Burgess Williams.

President Jones called for questions from the audience.

Mr. Werner Gleiter of Home Road called attention to the need for limiting the speed of vehicles on the side streets of the Borough. He specifically referred to Home Road. Burgess Williams advised that signs restricting the use of Home Road by trucks and added patrolling by the Police Department will be included in a recommendation to be made when the Public Safety Committee report is given.

Mr. Sam Gamburg questioned if this was the proper time for presenting a proposal by the business men for the purchase of the Garner property to be developed by the Borough as a free parking lot. Mr. Jones recommended that this item be held for new business.

Dr. Brooks pointed out that a precedent had been established at a previous Council meeting when one of the Councilmen walked out of the meeting. He advised that in the future he will abide by Section 905 of the Borough Code which provides that, in the event a Councilman walks out of a Council meeting, the Council may by a majority vote, declare the seat of the Councilman vacant. Dr. Brooks quoted the section from the Borough Code and questioned Solicitor Henderson for his opinion. Solicitor Henderson agreed that such withdrawal from the meeting does constitute reason for declaring the seat of the Councilman vacant. He also pointed out that such a vacating motion may also be made in the event that a Councilman abstains from voting.

Mr. Richard Klein urged that the question of installing curbs and sidewalks in the vicinity of the two elementary schools be given prompt consideration by the Council.

A motion was made by Dr. Brooks, seconded by Mr. Rudolph that the Council be reorganized due to the fact that the president had walked out of the last Council meeting. The vote on the motion was: For--Messrs. Brooks, Platten, Haigler and Rudolph; Against--Messrs. Palmer, Jones and Newcomb. The motion was declared approved.

Burgess Williams took charge of the Council meeting and called for motions to elect a new president.

Mr. Jones nominated Mr. Palmer and Mr. Haigler nominated Mr. Platten. A motion was made by Mr. Jones, seconded by Mr. Newcomb and approved by the Council to close nominations for the position of president of Council.

Burgess Williams called for the vote for the election of a president of Council with the following results: For Mr. Palmer--Messrs. Newcomb, Jones and Palmer; For Mr. Platten--Dr. Brooks, Mr. Haigler, Mr. Rudolph. Mr. Platten abstained from voting on this motion.

Due to the above vote being tie Burgess Williams cast his vote for Mr. Platten. Mr. Platten was therefore declared elected to the position of president of Borough Council.

Mr. Platten reviewed the past consideration given to the petition received from the owners of the Gniewek property at the southeast corner of County Line Road and York Road, for a change of zoning classification from Residential A and C to Retail. He also pointed out that in accordance with the requirements of the Zoning Code the affirmative vote of five councilmen is required to change the zoning classification as more than 20% of the neighboring properties had filed protest to the change.

Mr. Platten pointed out that a motion had been made by Mr. Palmer, seconded by Dr. Brooks, to change the zoning as outlined above at a previous meeting with the vote on the motion tabled until this meeting.

In response to a call from Mr. Platten for any additional facts in the case, Mr. Houpt representing the Gniewek family, pointed out that added tax income, added employment, savings on land given for road widening which later may have to be paid for and the 20 conditions of control agreed to by the developer constitute a brief summary of the facts presented by Mr. Houpt at a previous meeting.

Mr. Platten called for expressions of opinion from those who had not previously reported their opinion on the zoning issue. Mr. Millar of Rorer Avenue, pointed out that approval of the zoning change would result in a great improvement to the Borough. Miss Chianta, Chester Avenue, also expressed her opinion in favor of the zoning change.

Mrs. Thompson, of Windsor Avenue, pointed out that there is sufficient area in the downtown section of the borough requiring development commercially. Mr. Spokas of Windsor Avenue denied the claim that added tax income would result from the development.

The Secretary presented a letter from the Planning Commission requesting that their letter of May 9, 1959, outlining their reasons for turning down the zoning change be read again at this meeting. Mr. Platten briefly summarized the reasons of the Planning Commission for their opinion.

Dr. Brooks pointed out that in 1955 the Borough Council had rezoned the former Wunderle tract on Warminster Road, south of Byberry Avenue from Residential to Light Industrial with no time requirement for development. He further pointed out that the present assessment of the so called Vick Chemical property is \$28,000 with a tax income to the Borough and School Board of approximately \$1680. The area of the tract would permit the construction of 90 homes with an approximate total assessment of \$270,000, thereby resulting in a greatly increased tax income to both the borough and the School Board. Dr. Brooks further indicated that following the vote on the Gniewek zoning petition he would offer a motion for the rezoning of the Vick Chemical property.

Mr. Platten called for a vote on the motion to approve the change in zoning classification for the Gniewek property with the following result: For--Dr. Brooks; Against--Mr. Palmer, Mr. Jones, Mr. Platten, Mr. Newcomb and Mr. Rudolph. Mr. Haigler abstained from voting on this motion.

Mr. Palmer introduced the subject of the installation of curbs and sidewalks in the vicinity of the two elementary schools of the Borough and pointed out that two or three years ago a recommendation had been received from the Hatboro School Board that sidewalks be installed in the vicinity of the elementary schools. The proposal had been voted down due to the current sewer burden upon the residents. Two months ago a review of the plan for the installation of curbs and sidewalks was made by borough officials and a committee made a recommendation to Council at the previous meeting. Notices that consideration of this matter would be made at this meeting have been forwarded to approximately 140 residents on the streets involved in the construction work. Mr. Palmer further reviewed Mr. Haggerty's survey and estimate of costs involved in the work. Mr. Palmer pointed out that he has been pushing this project due to the hazards to children. He further urged that Council take action on the improvement project for Horsham Road even though he will be involved in the assessment for the improvement. It was pointed out that in connection with the assessment of the improvement to the residents that the cost of street improvements and curbing installation, which is done without petition from the residents, that two-thirds of the cost can be assessed to the abutting residents. On the installation of sidewalks, it is possible that 100% of the cost may be assessed to the abutting residents.

Dr. Brooks questioned if the committee recommendation is based on the fact that the curbs and sidewalks will be installed as a safety factor. Mr. Palmer pointed out that safety alone is the factor involved in the committee recommendation. Mr. Haigler pointed out that there has been no discussion in the committee as to the per cent to be assessed to the residents. Mr. Platten advised that he has heard of a possible change of opinion on the part of the School Board members as to what work should be done. It is evident that the School Board should be consulted again as to their present opinion on this matter.

Mr. Platten called for expressions of opinion from residents present at the meeting.

Mr. Campbell of 309 Windsor Avenue objected to the installation of the sidewalk and curb. He also questioned the present grade of the street and pointed out that the work proposed cost money and that sewer bills have not been paid to date.

Mr. Dougherty, 313 Windsor Avenue, pointed out that an assessment for the work proposed to be done would be a great hardship to him.

Mr. Kirkland, 373 Windsor Avenue, expressed his opinion against the installation of the curbs and sidewalks and pointed out that children are now safe in their travels to school as the "one-way" restrictions on the streets involved appear to be successful. He further indicated his opinion in favor of a lower street limit with stricter enforcement by the Police Department. He also indicated that the installation of sidewalks on only one street might be advisable. He also pointed out that a traffic light at the corner of York Road and Summit Avenue, with "Stop" signs at Windsor and Meadowbrook Avenues as another aid in providing safety for the children.

Mr. Jones pointed out that the Public Safety Committee has made several studies of the traffic and safety conditions in the vicinity of the school properties during times when schools have been in session.

Mr. Ebes, 379 Windsor Avenue, pointed out if the reason for the curb and sidewalk installation is for safety alone all of the borough should contribute toward the cost of the work.

Mr. Johnson, 354 Windsor Avenue, favors the retention of the suburban atmosphere in the neighborhood of the schools and is opposed to the construction of sidewalks.

Mrs. Thompson, 334 Windsor Avenue, pointed out that she has observed the flow of traffic at school hours and advised that the greatest hazard to the children is the parents leaving the school after they take their children there.

Mrs. Paist of 342 Windsor Avenue, questioned the use of Windsor Avenue by a large bus which passes down the street every day.

Mrs. McClelland, 359 Windsor Avenue, favored keeping the street as it is as only fifteen children use the street to go to the school. The cost of the work would be a great handicap to the residents and she further pointed out that taxes are already too high.

Mr. Spokas, 355 Windsor Avenue, pointed out that the project is too costly.

Mr. Klein, 389 Windsor Avenue, expressed his opinion as

opposing the installation of curbs and sidewalks and recommended that certain of the streets be closed for vehicular traffic during the time the children are going to and from school.

Mr. Ritchie, 383 Windsor Avenue, pointed out that many children ride bicycles to school and therefore the installation of a sidewalk would be of no aid to their safety.

Mr. Platten pointed out that the installation of curbing on Windsor Avenue is recommended to reduce the maintenance cost of the shoulders of the road and to provide better drainage of storm water.

Mr. Klein, 389 Windsor Avenue, questioned why curbs were not installed when Windsor Avenue was built. Mr. Platten pointed out that this Council cannot account for what was done in previous years but must protect the streets that we now have.

Mr. Platten called for expressions of opinion from the residents of Meadowbrook Avenue. The proposal indicates that curbs are to be installed on both sides of the street.

Mr. Howieson, of Bonair and Meadowbrook Avenues, expressed his opinion as opposing the construction of curbs on the street.

Mr. Moulds, 68 Meadowbrook Avenue, opposed the construction of curbing and recommended that traffic be slowed up along the street.

Mr. Platten pointed out that the construction of curbs is primarily to preserve the present road that was installed several years ago.

Mr. Kruse, 108 Meadowbrook Avenue, pointed out that in eight years no road maintenance work has been done on Meadowbrook Avenue. He further pointed out that the time spent on the streets by the children, going to and from school, is too small compared to the high cost of construction.

Mr. Schneider, 60 Meadowbrook Avenue, expressed his opinion opposing the construction of curbing and questioned if retaining walls will be built. Mr. Platten pointed out that such walls will be constructed if necessary. Mr. Schneider further expressed a recommendation that a line be drawn along the side of the street designating an area for the children to walk on.

Mr. Platten called for opinions from the residents of Bonair Avenue concerning the construction of curbing only to Meadowbrook Avenue.

Mr. Wybar, 347 Bonair Avenue, pointed out that water running north on Bonair Avenue undermines the sidewalk installed by the School Board and causes an accumulation of water on Meadowbrook Avenue. In response to a question raised by Mr. Wybar concerning the cost of the proposed construction it was pointed out that sidewalk would cost approximately \$2 per running foot with curb to be

\$1.75 per running foot.

Mr. Marburger, 345 Bonair Avenue, questioned the value of the curbing construction if not for safety reasons. If the construction is to protect the present roadway he advised that the borough should pay for it instead of assessing the residents. Mr. Haigler explained the need for curbing in this area. He also pointed out that Summit Avenue also needs attention and possible construction of curb to protect the roadway.

Mr. Woytowicz, 358 Bonair Avenue, pointed out that truck and factory traffic creates a traffic problem on Bonair Avenue.

Mr. Kruse questioned why the residents of the area in the vicinity of the school should have to come to the Council meetings every two or three years to protest the construction of curbs and sidewalks in their area. Dr. Brooks quoted from an article in the Wall Street Journal concerning the constant demands of residents in urban communities for improvements such as curbs, sidewalks, streets, new schools and other facilities conducted by boroughs and school boards.

In response to a question from the audience asking for stricter enforcement of the present speed laws, Mr. Jones advised that the Safety Committee has reviewed the conditions in these areas during the past two years and pointed out that the Police Department cannot enforce the speed limits any more than they are now doing. Only two men are on duty at a time and if more men are hired to do this type of work more tax money will be needed.

Mr. Platten called for expressions of opinion from the residents on Chester Avenue where curbing had been installed several years ago and sidewalks are now being recommended.

Mr. Sunderland, 101 Williams Lane, expressed his opinion in favor of the installation of sidewalks. He recognizes the need for safety for the children going to the schools and advised that if Council does not construct the sidewalk he will do so.

Mr. Jardine, 259 S. Chester Avenue, questioned why sidewalks were to be installed on Chester Avenue, if they are not considered needed on Academy Road and other roads leading to the high school.

Mr. Ashmore, 261 S. Chester Avenue, pointed out that he uses Chester Avenue every day and sees no need for the construction of sidewalks as the children do not use them. He favors that the borough pay all the cost of the construction.

Mr. Cramer, 263 S. Chester Avenue, advised that he has observed no hazard to the children and therefore opposes construction of the sidewalk.

Mr. Platten called for opinions from the residents of Lehman

Avenue, as the survey recommends the construction of sidewalk only on the south side of Lehman Avenue, from Chester Avenue east to the Church property.

Mr. Shabarow, 51 Lehman Avenue, pointed out that the majority of the children use the foot bridge in walking to the Pennypack School and therefore considered sidewalks not needed. He also cited that there is a hazard along Lehman Avenue where the storm sewer passes under Lehman Avenue.

Mr. Napolitano, 101 Lehman Avenue, favors the construction of sidewalk on both sides of the street or not at all.

Mr. Gaertner, 91 Lehman Avenue, expressed his opinion as opposing the construction of the sidewalk as only four children use Lehman Avenue to go to the school. Paths have already been worn by adults and children along the side of the street.

Mr. Palmer, after hearing all of the above testimony, pointed out that evidently all of the people oppose the construction work proposed. He recommended that a report be sent to the School Board and the P. T. A. organizations of the results of our hearing. He further indicated that he will not urge the construction of any sidewalks as a result of the above opinions.

A motion was made by Mr. Palmer, seconded by Mr. Haigler, to return to the School Board the request received from them in April of 1957, indicating that no action has been taken by Council on this matter and that copies of the minutes of this meeting are to be forwarded to the School Board advising of the opinions of the people and giving the School Board an opportunity to either renew their request or to withdraw it. The vote of the Council was unanimous in favor of the motion.

Mr. Gleiter of 42 Home Road, pointed out that not spending money for the curb and sidewalk project and the tabling of the proposal does not relieve the Council of the responsibility for safety. He recommended that something be done to reduce the speed limits on the Borough streets especially Home Road.

It was agreed by Council that the question of the installation of curbing alone has not been decided and that the decision will be withheld until the School Board advises concerning the sidewalk proposal.

Mr. Platten called for the approval of the minutes of the Council meeting of July 6. There being no changes and/or corrections to be made they were declared approved. The minutes of the July 13 Council meeting were reviewed, corrected and declared approved.

The minutes of the Council meeting of July 16 were reviewed. In referring to Page 5, Mr. Jones objected to the inference that Mrs. Jones in her employment with Mr. Moffa might be influenced or influence Mr. Jones in his Council work. He pointed out that

his wife's employment is neither the business of Council or Dr. Brooks and further pointed out that Mrs. Jones' employment has no effect on his opinions.

After making several corrections the minutes of the July 16 meeting were declared approved.

Mr. Sam Gamburg, representing a group of business men of the Borough, advised that he had been asked to bring a proposal to Council in connection with the Garner-Lucy Barnes property. This property has been a problem for many years and all proposals to date have been either too costly or not feasible and have been turned down. He pointed out that his group is working to bring about free parking on the area involved and to encourage commercial development of possibly one-half million dollars value which would aid in bringing in new revenue to the Borough. The business men propose that they are willing to raise and spend \$100,000 to buy the center of the Garner-Lucy Barnes property, excluding 200' from York Road and Penn Street and to give the property to the Borough providing the Borough will pave, light, drain and operate a parking lot containing 125 paid commuter parking spaces on the east end of the lot and that no buildings would be permitted on the property. He pointed out that such a plan would remove the commercial parking from the residential streets of the Borough and provide a yearly income of approximately \$6,000 from the metered commuter parking section. He further stated that his group has received firm bids from contractors to do the work required of the Borough at a total cost of \$90,000. He also advised that the County Commissioners can give up to 50% of the cost of the development as County Aid. Such a development would give the Borough the income from the commuter parking area and the increased development of the commercial properties fronting on York Road, Byberry Avenue, Moreland Avenue and Penn Street. He also indicated that the Borough could increase the real estate assessments of the present commercial properties at least 10% as a result of the providing of the parking area. If the Borough will accept title to the property and do the necessary work to construct and operate the parking area, the business men will raise the money, purchase the ground and proceed with the proposal. Mr. Gamburg also indicated that the proposal being made also includes the proposed parking lot at the rear of the new post office to be constructed on the east side of York Road, north of Moreland Avenue. He indicated that a vote of confidence and approval is desired at this time in order that the fund raising campaign may be started. He also indicated that his group will negotiate with Messrs. Hoffman and Watson to get donations of the rear portions of their property fronting on York Road, which would square off the parking area. A definite commitment on this item has not been received at this time.

Mr. Platten discussed the proposal and questioned the depth of the parking area on the Penn Street frontage. It was pointed out that the commuter parking would be at least 200' from the Penn Street frontage, Mr. Jones questioned the receipt of County Aid and indicated that the Borough might be required to spend the

complete \$90,000 if the County Aid is not received.

Mr. Gamburg assured that immediate development of the now vacant frontage on York Road would result if the parking lot is developed.

Mr. Gamburg called for a vote of confidence from the Council and pointed out that the business men are anxious to go ahead at this time.

In response to a question from Mr. Haigler as to a definite amount that the Council may be required to spend, Mr. Gamburg indicated that his group has bids from reliable contractors with definite commitments from the County Commissioners for County Aid. Mr. Haigler recommended that Engineer Haggerty review the plan and prepare cost estimates.

Mr. Jones reported that he has contacted the County Commissioners and was told that County Aid will be received on the Horsham Road Improvement project. He also indicated that the County may take over Horsham Road as a county road which would result in the rebuilding of the road being done by the County.

Mr. Haigler questioned concerning the requirements of the Zoning Code for off-street parking for retail properties and asked if the merchants intended to ask for exceptions to be relieved of the parking requirements. Mr. Gamburg indicated that he would expect that the Borough would grant exceptions to relieve the merchants of providing additional parking after the new parking lot has been built. Enforcement of the parking requirements on the Byberry Road properties would render the properties unbildable on a commercial basis.

Mrs. Coleman pointed out that the item of County Aid is worthy of investigation and recommended that a check be made as to the certainty of the aid.

Burgess Williams questioned the depth of the Moreland Avenue property and Mr. Gamburg indicated that certain of the properties do jut quite a distance into the Garner-Lucy Barnes property. He indicated that the Borough could negotiate and arrange to square off the north side of the proposed parking lot. Mr. Rudolph questioned if Council could raise the required \$90,000 for the development of the tract. Mr. Platten pointed out that the Borough has a borrowing capacity on the vote of Council of approximately \$150,000 and on the approval of the voters of approximately \$310,000.

Mr. Platten reviewed the plan and questioned if even a vote of confidence and approval were given at this time by the present Council and at some future date when the make-up and personnel of the Council changes, whether Council at that time could change their decision on this matter. He further questioned if the Agreement of Sale could include an option for the Borough to make

its final decision at a later date. Mr. Gamburg indicated that he favored a unanimous vote by the Council on this matter. If the vote were to go to a 4-3 basis he did not feel that the business men would be encouraged to proceed.

Mr. Haigler pointed out that the problem of storm drainage through the Garner property could be a great expense. Mr. Gamburg pointed out that the storm drainage under York Road at the present time could handle all of the run-off from the Garner property but not the flow that comes from further up the storm drainage system. He also indicated that the problem of taking care of the storm drainage from the northeast section of town is not the concern of the proposal now being offered. Mr. Haigler pointed out that the problem of taking out the up-stream drainage from the Garner-Lucy Barnes property may cost more than one-quarter million dollars.

Mr. Palmer indicated that the merchants should receive an indication of good faith from the Council. He also indicated that it may be well to have the engineer review the storm drainage problem at the same time. He indicated that the engineer could report back at the next meeting and at the same time the merchants could report as to the results of their campaign. Mr. Gamburg indicated that a definite proposal or indication from Council at this time is needed in order to sell the proposal to the contributors. Mr. Palmer indicated that he preferred to have the engineering done first in order to recognize and face the problems so to protect the business men in this manner. Mr. Gamburg stated that the drainage problems should not be tied in to the Garner-Lucy Barnes proposal and further indicated that the area of the proposed parking lot is approximately 325,000 sq. ft. and that this area only is the concern of the business men in their proposal.

A motion was made by Mr. Jones, that the Council will agree that they will look favorably upon negotiating an agreement with the business men to offer to the Borough the Garner-Lucy Barnes property free and clear for the Borough to light, pave, and drain the property, at a cost of not over \$90,000 with the business men to absorb the excess over \$90,000 with the County Aid to be received to be used for the storm drainage from the northeast end of the Borough, south along the railroad, in the amount of 50% of the cost. Mr. Gamburg indicated that the above motion does not cover his proposal.

A motion was made by Mr. Jones, seconded by Mr. Palmer and approved by the Council indicating that Council will look favorably upon negotiating an agreement with the business men to donate the complete Garner-Lucy Barnes property, with the exception of 200' on York Road and 200' on Penn Street (excepting a 40' cartway from Penn Street) with the Borough to pave, light, and drain the property and place 125 paid commuter parking places on the lot with the balance of the lot to be free parking with the provision that the business men will absorb any cost in excess of \$90,000

to the Borough.

Mr. Harry Barford, Sr. discussed the moving of the Crooked Billet battle monument, presently located at York Road and Monument Avenue. He reviewed the activity to date in organizing a campaign to cover the cost of such work. After Council expressed their interest in the project he received three bids for the work amounting to \$3675, \$3850 and \$5187. He also has contacted historical societies and is now negotiating with the county office of Veterans' Affairs. The county office of Veterans' Affairs has verbally agreed to cover the cost of the work to be done.

A motion was made by Dr. Brooks, seconded by Mr. Haigler, to authorize the moving of the monument from York Road and Monument Avenue to York Road and Madison Avenue with the cost to be assumed by the County Veterans' Affairs office.

Mr. Platten expressed his opinion against moving the monument so far from Monument Avenue and recommended that it be kept at the approximate present location as this was the location selected by the original builders of the monument. A motion was made by Mr. Platten, seconded by Mr. Haigler, to amend the previous motion to indicate that the new location would be approximately 35' north of the old location. The vote on the motion to amend was: For--Mr. Platten and Mr. Haigler; Against--Messrs. Brooks, Newcomb, Palmer, Jones and Rudolph. The amending motion was declared defeated.

The vote on the original motion to approve the moving of the monument to Madison Avenue was taken as follows: In favor--Messrs. Jones, Brooks, Haigler, Newcomb, Palmer and Rudolph; Against--Mr. Platten.

Mr. Barford and Mr. Jones recommended moving the monument to the Madison Avenue location.

A motion was made by Dr. Brooks, seconded by Mr. Haigler, and approved by the Council to adopt the following resolution:

RESOLUTION

RESOLVED, That the Department of Veterans Affairs of Montgomery County is hereby authorized to move and reconstruct the Crooked Billet Battle Monument presently located at York Road and Monument Avenue, Hatboro, Pa. to the new location on the east side of North York Road at Madison Avenue with the expense of such work to be born by the Department of Veterans Affairs.

Mr. Paquette, 45 Fulmor Avenue, presented a complaint concerning the presence of mosquitoes on the Vick Chemical property along Fulmor Avenue in the vicinity of his home. It was agreed that the Secretary would write to the Vick Chemical property requesting that steps be taken to remove the cause of the complaint.

Mr. Burdick, 206 South York Road, discussed the removal of the parking meter in front of his store and the placing of "No Parking" signs. He indicated that short time parking at this place is greatly needed for the success of his business. He also indicated that he is suffering from the loss of parking across the street in front of the Sunoco Station. He expressed doubt as to the value of this move in the control and flow of traffic at this point. He favored possibly installing signs allowing limited or short time parking. He recommended that Council reconsider the change made at the previous meeting.

Mr. Platten suggested that parking be permitted from Saturday noon to Monday A.M. as a concession to permit weekend parking for Mr. Burdick's store. Mr. Jones indicated that the changes made at this point were not a recommendation of the Public Safety Committee and that he did not favor the changes.

Mr. Burdick also indicated that the presence of the bus stop in front of the bank presented a hazard to depositors making night deposits at the bank. Dr. Brooks indicated that the changes made were to aid in the flow of traffic during the busy hours. He suggested that meter parking be allowed between the hours of 9 A.M. and 4 P.M. with "No Parking" at the other hours. Mr. Platten suggested that the question be referred to the Public Safety Committee for review and recommendation at the next meeting.

Mr. Jones indicated that the Public Safety Committee has reviewed this situation in the past and favored leaving the meters as they were installed. Mr. Platten recommended that a longer time be given for the experiment and that permanent action be taken at the next meeting. Mr. Palmer also indicated that if the installation of green right-turn arrow for north bound traffic, east on Berry Road is installed, a walk sign may be recommended for pedestrian safety.

Mr. Platten indicated that all of the changes made in the meters and traffic control were reviewed and approved by the Chief of Police.

A motion was made by Mr. Newcomb, seconded by Mr. Jones that the meters removed from the Burdick and bank properties be replaced in their original positions. The vote on the motion was: In favor--Mr. Newcomb and Mr. Jones; Against--Messrs. Platten, Brooks, Haigler, Palmer and Rudolph. The motion was declared defeated.

Mr. Joseph Gramlich, of Springdale Avenue, stated that he had been advised that the paving of the street at the rear of his property may be assessed against the abutting property owners. Mr. Platten indicated that a definite policy has not been established to date and is still to be decided by the Council. Mr. Gramlich advised that all previous streets constructed were not assessed to property owners and questioned why a change in policy should be made now with so few streets to be paved.

Mr. Gramlich also reported that due to the removal of an old

barn adjacent to his property that rats have been found on his and the adjoining property. Poisons had been used as recommended by the Borough health officer but have not been successful in removing the nuisance.

The following bills were presented by the Secretary and approved by the Council for payment:

<u>Vo.#</u>	<u>Vendor</u>		\$
403	W. Z. Dudbridge, Chief		4.85
404	Armor Business Machines Co.		8.50
405	Eric Belar		34.45
406	Brooks Paint Store		4.75
407	Bux-Mont Office Supply Co.		28.33
408	Henry Bedinger		10.00
409	Robert Berlin, Inc.		5.13
410	Bell Telephone Co. of Pa.		7.25
411	C. & C. Supply Co. Hatboro		10.38
412	Culbert-Whitby Co.		17.85
413	Columbia Ribbon & Carbon Mfg. Co.		3.37
414	Cheltenham Auto Glass		9.88
415	Delaware Valley Concrete Co., Inc.		80.78
416	Jim Baner Ford, Inc.		38.49
417	Erwin Printing, Inc.		26.20
418	Erwin Printing, Inc.		16.50
419	Eureka Stone Quarry, Inc.		280.32
420	F. & E. Check Writer Sales Co.		35.00
421	Fidelity Companies		12.85
422	Bell Telephone Co. of Pa.		21.28
423	Bearings, Inc.		14.28
424	James Craig		9.63
425	Cameron's Sanitary Landfill		90.00
426	Eureka Stone Quarry, Inc.		20.52
427	Galer & Hults, Inc.		13.30
428	Henricks Pretzel Co.		244.58
429	Hatboro Appliance Corporation		3.00
430	Hatboro Cycle Shop		2.00
431	Bell Telephone Co. of Penna.		11.95
432	Delaware Valley Concrete Co.		71.25
433	Erwin Printing, Inc.		22.75
434	Bux-Mont Municipal Pool League		5.00
435	Charles Handschuh		18.00
436	Hatboro Concrete Block Co.		41.60
437	Hatboro Borough Authority		568.03
438	Hatboro Hardware		3.77
439	Mr. Knox Henderson		125.00
440	Philadelphia National Bank		1390.44
441	Wm. Hobensack's Sons		18.38
442	The Intelligencer Co.		15.35
443	Industrial Products Company		.91
444	Jamison & Carrell		2.20
445	I. M. Jarrett		3107.40
446	Keystone Hi-Way Traffic Equipment Co.		73.50
447	Koppers Company, Inc. Tar Prod.Div.		144.48
448	Kufen Electric Motors, Inc.		50.00

449	Lance, Inc.	\$ 80.03
450	Lou's Sunoco	47.50
451	Martin-Witchwood Ice Cream Co.	611.00
452	Martin Century Farms	83.50
453	Hatboro Hardware	7.84
454	Jamison & Carrell	1.20
455	Markovich Auto Parts	21.58
456	T. A. McClurken - Petty Cash	36.97
457	T. A. McClurken	27.20
458	Galer & Hults, Inc.	16.80
459	Meili & Worthington Inc.	9.80
460	Martin & Bradley	41.28
461	Treasurer, Montgomery County	17.10
462	Bell Telephone Co. of Pennsylvania	99.81
463	Hatboro Lumber & Fuel Co.	65.72
464	Miller & Cornell, Inc.	4.93
465	Miller & Cornell, Inc.	1212.77
466	Mandes Bros.	11.06
467	Magee-Hale Park-O-Meter Company	10.00
468	E. S. McVaugh	2.00
469	Montgomery Publishing Co.	45.55
470	Metropolitan Bottling Co.	51.10
471	Montgomery Co. Assn. of Boards of Health	10.00
472	National Disinfectant Co.	59.90
473	Parnell Pharmacy	12.30
474	Philadelphia Electric Co.	275.26
475	Philadelphia Electric Co.	10.00
476	Philadelphia Electric Co.	894.25
477	Phila. National Bank - Hatboro Office	21.53
478	Mitchell & Ness	245.50
479	Borough of Hatboro - General Fund	1867.63
480	Bux-Mont Office Supply Co.	14.50
481	Marsden's Gas Service	52.25
482	Proportioneers, Inc.	1.59
483	Road Machinery, Inc.	550.00
484	Roger Construction Co.	1500.00
485	Ronco Corporation	116.45
486	Walter L. Rothwell	277.68
487	Sinclair Refining Co.	340.05
488	Delaware Valley Concrete Co.	96.60
489	Sargent-Sowell, Inc.	28.03
490	Stewart In-Fra-Red Commissary	150.96
491	Superfine Fuels Co.	38.07
492	Taggart's Hardware	39.55
493	Dr. James R. Todd	6.00
494	Transport Clearings of Phila., Inc.	2.65
495	Taggart's Hardware	1.35
496	Upper Moreland Hatboro Joint Sewer Auth.	26.78
497	Verd-A-Ray Corporation	42.85
498	Warner Fruehauf Trailer Co., Inc.	3647.70

#499	J. Alvin Wolverton	\$ 1.50
500	F. W. Woolworth Co.	11.07
501	Zaritsky Bros.	2.20
502	Accounting Adjustment	--
503	Void	
504	T. A. McClurken - Petty Cash	75.20
505	Alex L. Parry, Tax Collector	32.66

A motion was made by Mr. Palmer, seconded by Mr. Jones and approved by the Council, to recess the Council meeting (hour being 1:10 A.M.) to reconvene at 8 P.M. on August 31, 1959.

Thomas A. McClurken
Secretary

Hatboro, Pa.
August 31, 1959

The recessed meeting of the Borough Council of August 17, 1959, was reconvened in the Council Room on the above date.

The meeting was called to order at 8 P.M. by President Platten, with the following present: Councilmen Platten, Jones, Brooks, Newcomb, Rudolph, Haigler; Burgess Williams, Engineer Haggerty, Treasurer Gintowt, Solicitor Henderson, Superintendent Stauch, six residents and two press representatives.

The minutes of the Council meeting of August 17 were presented for correction and approval. Burgess Williams questioned if Mr. Palmer's property will be assessed for the improvement on Horsham Road. It was pointed out that curbs are planned to be constructed along the Horsham Road side of Mr. Palmer's property. Council agreed to defer approval of the minutes until the regular September meeting.

Burgess Williams reporting for the Public Safety Committee recommended that "No Trucks" signs be installed on Home Road.

A motion was made by Dr. Brooks, seconded by Mr. Haigler and approved by the Council to adopt the following resolution:

RESOLVED, THAT THE INSTALLATION OF TRAFFIC CONTROL SIGNS FORBIDDING THE USE OF HOME ROAD BY TRUCKS, EXCEPT FOR LOCAL DELIVERY, IS HEREBY APPROVED.

Burgess Williams presented the following recommendations regulating the flow of traffic in the business district of the Borough between the hours of 6 and 9, Monday through Thursday, and the hours of 4 to 9 on Friday:

- 1- No left turns from west Lehman Avenue into York Road
- 2- No left turns from York Road into Byberry and
Moreland Avenues
- 3- No right turns from Penn Street west into Moreland
and Byberry Avenues
- 4- No left turns into or out of Williams Lane at York Road

Following a discussion it was agreed that a map of the Borough would be properly marked to indicate the recommendation of the committee and be presented at the next Council meeting.

Miss Chianta, Montgomery Avenue, called attention to the parking on both sides of west Montgomery Avenue at York Road, thereby leaving only one traffic lane open.

A motion was made by Mr. Jones, seconded by Dr. Brooks, to adopt the following ordinance prohibiting left turns from west

Lehman Avenue into York Road:

ORDINANCE NO. 329

TO AMEND AN ORDINANCE APPROVED FEBRUARY 7, 1950,
ENTITLED "AN ORDINANCE REGULATING TRAFFIC IN, AND
CERTAIN USES OF THE HIGHWAYS OF THE BOROUGH OF
HATBORO."

Mr. Faquet, New Street, suggested that signs be installed to divert traffic south on Penn Street to Warminster Road.

Mr. Haigler suggested that the committee prepare a resolution to the Turnpike Commission recommending that turnpike traffic be re-routed to avoid York Road through Hatboro.

Burgess Williams called attention to vehicles parking on the south side of Byberry Avenue facing west. He suggested that courtesy cards be placed on the cars for a period of sixty days. Mr. Platten pointed out that such parking is a violation of the Vehicle Code but agreed that courtesy cards might be used for a short time.

Burgess Williams advised that the Planning Group of Eastern Montgomery County has recommended the synchronizing of all traffic signals on York Road from Philadelphia north to County Line Road, to speed up the flow of through traffic.

Burgess Williams reported that four additional applications have been received for the positions of police women. Eight applications are now on file, interviews will be scheduled with selections to fill the vacancies before the school year starts.

Mr. Jones advised that the Public Safety Committee recommended that action be taken to remove commuter parking from North Penn Street between Moreland and Montgomery Avenues, and to provide for commuter parking on the present public parking lots. Mr. Platten expressed the opinion that such a change is premature until a commuter lot is developed nearer to the railroad station.

A motion was made by Mr. Jones, seconded by Dr. Brooks, to adopt an ordinance to ordain two hour parking on the west side of Penn Street, from Moreland to Montgomery Avenue, between the hours of 8 A.M. and 6 P.M. Monday through Friday.

Dr. Brooks suggested that twenty-five paid commuter parking spaces be allocated on the Moreland Avenue parking lot. Mr. Newcomb questioned the status of the Polis parking lot east of the railroad station. Mr. Platten advised that he had discussed this matter with Mr. Allan Meade and had been advised that due to the inflexibility of Council, completion of the lot had been deferred. Mr. Meade also pointed out that an entrance and exit to the lot over railroad property has been requested but not approved to date. It was also noted that possible use of the apartment house driveway

as an entrance to the lot is being considered. Mr. Newcomb expressed his opinion in favor of completing the lot and adjusting the zoning classification to permit such a use.

The vote on the motion to approve the above ordinance was as follows: For--Messrs. Jones and Brooks; Against--Messrs. Platten, Haigler, Rudolph and Newcomb. The motion was declared defeated.

Burgess Williams presented a recommendation from the Public Safety Committee for the reinstallation of a parking meter in front of Burdick's store, 206 South York Road, with a "No Parking" restriction between the hours of 7 and 8 A.M. and 4 and 6 P.M., Monday through Saturday. Following a discussion it was agreed that the committee would reconsider this item. Mr. Haigler suggested that a short-time meter be considered.

Burgess Williams presented a recommendation that a stop sign be installed at the intersection of Academy Road and Loller Road, with Academy Road to be the stop street.

Miss Chianta questioned through southbound traffic passing on the right side at York Road and Byberry Road and pointed out that the moving of the bus stop and removal of the meters encourages such a practice which is illegal. Mr. Platten expressed doubt as to the injury to Mr. Burdick's business in the removal of the parking meter in front of his store. Dr. Brooks expressed his opinion in favor of a parking meter usable during non-rush hours.

Mr. Jones made a motion to replace the parking meters recently removed from in front of the bank and Burdick's store and the moving of the bus stop to its original position due to the financial loss to the Borough, possible harm to local business, increased hazard to night depositors at the bank, no apparent advantage to the flow of traffic and putting the police department in a position in which it is difficult to police the bank area.

Mr. Platten recommended that the question be referred to the committee for action at the next meeting and ruled that the motion was out of order.

Mr. Platten recommended that action should be deferred until the complete committee reviews the problem and reports at the next Council meeting.

A motion was made by Dr. Brooks, seconded by Mr. Rudolph and approved by the Council to adopt the following resolution authorizing the installation of stop signs at the intersection of Academy Road and Loller Road:

RESOLUTION

WHEREAS, The Borough of Hatboro desires to designate as a "Stop Intersection", the intersection of Academy and Loller Roads, south bound traffic to be stopped on Academy Road in the Borough of Hatboro in the County of Montgomery,

NOW, THEREFORE BE IT RESOLVED, That the intersection of Academy and Loller Roads is hereby designated as a "Stop Intersection" and all traffic shall come to a full stop when proper signs are erected at said intersection, and

BE IT FURTHER RESOLVED, That the Council of the Borough of Hatboro does hereby request, and grant authority and approval for the erection of the necessary signs.

Burgess Williams reported that various parking meters in the business district have been bagged on Friday evenings to provide better access to the parking spaces. Chief Dudbridge reported that due to bad weather on Friday, August 28, judgment could not be made as to the effect of such action.

Treasurer Gintowt reported the cash balance at July 31 of \$10,934.25 with vouchers to be paid of \$16,587.66. An additional \$5,000 has been borrowed, making borrowings to date of \$25,000 compared to \$55,000 at the same date last year. A portion of the real estate tax money has been received from the tax collector.

Mr. Platten reporting for the Finance Committee advised that a letter had been sent to the Enterprise Fire Company expressing the rejection by the Finance Committee of a request received, for the Borough to purchase replacement mobile and base radios for the fire company, at an estimated total cost of \$2800 through Civil Defense matching funds. The full Finance Committee met with Messrs. Aiman and Lutz, who explained that the change in equipment is needed due to high maintenance cost. It was further indicated that a change to a new wave band will be required in October 1960. The Finance Committee indicated that they are disturbed at the lateness of the request and referred to advice received from the fire company at the time the 1959 budget was being prepared, that the purchase of the new radio equipment was not needed for two or three years. The committee recommends that the Council concur in the decision made. No comment was made by the Council on this matter.

Mr. Haigler reporting for the Highway Committee presented an invoice from Engineer Haggerty for \$1010.35 covering additional engineering services for Horsham Road, making a total cost to date of \$2931.03. When the project is undertaken this cost will be applied against the engineer's normal percentage fees. Mr. Newcomb pointed out that the original estimate for this work was \$1800 and it now appears that the original estimate was incorrect. Mr. Haggerty pointed out that the normal fee for the Horsham Road project would

be approximately \$6,000.

Mr. Haigler presented and the Secretary read a letter from Engineer Haggerty indicating a \$600 engineering cost for additional storm drainage facilities for the Lucy Barnes-Garner tract, and a letter from Engineer Haggerty, indicating an estimate of \$1600, for the diverting of the storm water drainage along the railroad tracks south to Fulmor station. Mr. Haigler indicated that the Highway Committee requested that the above estimates be prepared. Mr. Haigler further indicated that the present culvert under York Road is not large enough to carry the run-off if the Lucy Barnes tract is paved. As the committee has not met since the estimates were received, the estimates were referred to the committee for further recommendation.

Mr. Haigler reported that the new refuse collection truck is in operation and is performing properly.

Mr. Haigler reported that copies of the proposed lease for the Berlin parking lot have been distributed to all councilmen. It was noted that Berlin is retaining the front 1/3 of the parking area which he will pave for future trailer truck use. Other conditions are similar to the Kratz lot agreement. Solicitor Henderson suggested that both the Berlin and Kratz leases terminate on the same date.

Mr. Newcomb expressed the opinion that if the present Moreland Avenue lot is capable of having spaces allocated for commuter parking, it appears that the Berlin lot is not needed for shopper parking. He recommended that the Borough do not lease the Berlin portion or install the paving. The lease was referred to the Highway Committee for future consideration.

Mr. Jones reviewed the storm water problems at Montgomery Avenue and New Street and asked the Highway Committee to prepare a recommendation for an improvement of the conditions. Mr. Platten reported that he had reviewed various storm sewer trouble spots in the Borough during recent storms and suggested that the Highway Committee consider all of them.

Mr. Haigler advised that a request has been received from a property owner on Springdale Avenue, north of Tanner, for either the Borough to correct a storm drainage problem or permit the property owner to do so. The Highway Committee will review the problem and report at the next meeting.

Mr. Rudolph reporting for the Health and Sanitation Committee presented the report of the Assistant Health Officer indicating complaints of rats received from Mrs. Hamman, York Road south of Montgomery Avenue, on the adjoining Smith Chevrolet property. This complaint was reviewed by a representative of the State Health Department, along with Mr. Wilcke. It was suggested that a grate be installed on the storm sewer either by the Borough or the property owner. It was further reported that Smith's have cleaned up the

property, removed junk and set traps. The question of the grate installation was referred to the Highway Committee.

Mr. Rudolph presented a letter received from the Bucks County Board of Health indicating that no action has been taken to remedy the contamination of the Pennypack Creek caused by the industrial plants along Jacksonville Road.

Mr. Rudolph reported that many complaints have been received from the Lincoln and Springdale Avenue areas concerning rats. He will instruct Mr. Wilcke to put out rat poisons, with the permission of the property owners, in order to relieve the condition.

Mr. Rudolph advised that a letter has been received from the State Department of Health indicating that a survey of the eating establishments in the Borough will be conducted shortly by State health officers.

Mr. Newcomb discussed the pending approval of the subdivision of lots on Jefferson Avenue, south of Corinthian Avenue, for William Benner. Action on a previous motion to approve the subdivision with the requirement that sidewalks, curbs and street be required of the owner, had been tabled at a previous meeting. Mr. Platten reviewed present policy of the Borough concerning the assessment of street construction costs. He pointed out that on south York Road curbs were required in a subdivision approval. Mr. Haigler asked that the builder be required to install at least 1/2 the street as it may encourage others to build. If the Borough pays for the street it represents a subsidy to the builder.

Mr. Platten indicated that a policy decision on the assessment of street construction costs may soon be made by the Council and recommended that the Highway Committee review the problem and be ready to take action at the next meeting.

Burgess Williams reported that the enlargement of the parking lot at the rear of the State Employment office has not been done to the satisfaction of the Borough. The Highway Committee will review this matter.

A motion was made by Mr. Haigler, seconded by Mr. Newcomb and approved by the Council to approve the subdivision plan of William Benner for Lot Nos. 138, 139 and 140, on the west side of Jefferson Avenue, south of Corinthian Avenue, subject to a requirement that curb, sidewalk and street paving may be required of the builder. The building permit should indicate the above conditions.

Dr. Brooks reported that income from the operation of the swimming pool to date has exceeded the budget estimate. Net profit has not been determined as many bills have not been paid to date.

Dr. Brooks reported that his committee in reviewing the

moving and rebuilding of the battle monument, has reviewed the Madison Avenue site and pointed out that stone is available for the work. Present plans call for the replacing of the engraved sections of the monument. Mr. Barford has contacted the County Commissioners for aid on this project. Mr. Henderson was instructed to hold up on any legal action pending approval of the project by the county.

Dr. Brooks reported that he had met with representatives of the Bell Telephone Company and had been advised that the two large telephone cables on the poles on the east side of York Road will not be placed underground. There was a discussion concerning the type of light pole to be installed on York Road. The problem was referred to the committee for further consideration.

Dr. Brooks advised that legislation recently approved in Harrisburg permits boroughs to appropriate money for the care of historical buildings.

Concerning the proposed use of the Loller School building by the Borough, it was recommended that Mr. Henderson contact the School Board solicitor to investigate any restrictions concerning the use of the Loller building.

Mr. Rudolph reported that a water analysis survey is available from the State Department of Health.

Mr. Jones reported that he has received official confirmation of his appointment as Civil Defense Director of the Borough.

Solicitor Henderson advised that there are two court cases pending involving the borough. The Mebus-swimming pool case is scheduled for September 21, 1959. A Jury-of-View has been appointed in connection with the Murphy case, 401 Warminster Road, with the viewing to be made on September 4, 1959.

Mr. Schuenemann, 480 Jefferson Avenue, presented a request for a crossing guard at the intersection of Warminster Road and County Line Road for school children attending the St. John Bosco school. Burgess Williams indicated that this matter has been discussed by the committee. The using of one of the police officers at this intersection may be recommended.

Dr. Brooks pointed out that in 1955 the Borough Council changed the zoning classification of the Wunderle-Vick Chemical property from Residential to Light Industrial. He reviewed the real estate assessment and tax income under present conditions and pointed out that the area of the property represents 7% of the total borough area. Dr. Brooks recommended that Borough Council advise the Vick Chemical Company that council will consider a change in zoning classification because of its nonproductivity. Mr. Newcomb advised that the Manufacturer's Association had been advised some time ago that no construction was planned for five years. Mr. Jones recommended that a request be sent to the Vick Chemical Company to ask if there are any plans for construction in the near future.

In response to a question raised by Mr. Newcomb, Solicitor Henderson advised that the zoning classification cannot be changed after a building permit is issued by the Borough.

A motion was made by Dr. Brooks, seconded by Mr. Jones and approved by the Council to adopt the following resolution:

RESOLVED, THAT THE BOROUGH COUNCIL OF THE BOROUGH OF HATBORO ANNOUNCES THE INTENTION TO CONSIDER A CHANGE IN ZONING CLASSIFICATION OF THE 40 ACRE TRACT OF LAND BOUNDED BY WARMINSTER ROAD, FULMOR AVENUE AND READING RAILROAD, REPRESENTING APPROXIMATELY 7% OF THE AREA OF THE BOROUGH WHICH HAS REMAINED VACANT AND UNDEVELOPED FOR MORE THAN FOUR YEARS.

Mr. Platten advised that he had written a letter to the County Commissioners concerning the possibility of receiving County Aid on four specific projects in the Borough of Hatboro, (Horsham Road, West Moreland Avenue, Storm Drainage and Off-Street Parking Lot). Mr. Platten advised that a reply had been received indicating that consideration is being given to our request.

Mr. Platten announced that the committee organization of the Council has been revised and announced the following appointments to represent the four standing committees of Council (the first named Councilman is to serve as chairman of the committee):

Finance and General Government

PLATTEN - Palmer - Haigler

Public Safety and Health

RUDOLPH - Brooks - Jones - Newcomb

Public Works

BROOKS - Haigler - Palmer - Jones

Highway and Maintenance

HAIGLER - Newcomb - Rudolph

Mr. Jones pointed out that on noting that Councilmen Newcomb, Palmer and Jones are no longer committee chairman, that evidently the Council is now organized under control of the majority group. Mr. Newcomb questioned why the president of Council should serve as a committee chairman.

Mr. Platten indicated that he believed that there is a responsibility resting on the majority group of Council to assume leadership in Borough affairs. He further indicated that selection of the chairman was in no wise partisan in nature.

The meeting was declared adjourned at 11:07 P.M.

Thomas A. Mc Clecklen
Secretary

Hatboro, Pa.
September 14, 1959

The regular meeting of the Borough Council was held in the Municipal Building on the above date.

The meeting was called to order at 8:05 P.M. by President Platten with the following present: Councilmen Palmer, Platten, Brooks, Jones, Haigler, Newcomb and Rudolph; Solicitor Henderson, Superintendent Stauch, four residents and three press representatives.

The invocation was given by Mr. Platten.

Burgess Williams entered the meeting at this time.

The minutes of the Council meetings of August 17 and 31 were reviewed and corrected. A motion was made by Dr. Brooks, seconded by Mr. Rudolph, to approve the above minutes as corrected. The vote on the motion was: For--Messrs. Platten, Palmer, Haigler, Rudolph, Brooks, Newcomb; Against--Mr. Jones.

Treasurer Gintowt reported that the cash balance at August 31 was \$13,926.09. Deposits of \$11,757.50 and bills payable tonight of \$6,030.10 indicates that there will be sufficient funds to repay \$5,000 of the tax exemption notes. He also reported that the \$5,000 payment due for the Moreland Avenue Parking Lot bonds will be taken from the unused bond proceeds of the bond issue.

A motion was made by Mr. Haigler, seconded by Mr. Palmer and approved by the Council to accept the treasurer's report.

Mr. Haigler reporting for the Highway Committee advised that the committee had met on September 10 with Messrs. Rudolph, Platten, Haigler and Stauch attending.

The proposed lease for the Berlin parking lot has been reviewed by the committee and the solicitor. The committee recommends that the lease be approved by council and signed. In accordance with a recommendation of Solicitor Henderson, it was agreed that the term of the lease would run for fourteen years from October 14, 1959, so that both the Kratz and Berlin leases would expire at the same date.

A motion was made by Mr. Haigler, seconded by Mr. Rudolph to adopt the following resolution authorizing the officers of the Borough to execute the Berlin Parking Lot lease for a parking lot on the same terms as the Kratz lease.

RESOLUTION

RESOLVED, That the president and the Secretary of the Borough Council are hereby authorized to execute the lease agreement for the rear portion of the Robert Berlin property fronting on Orchard Avenue.

Mr. Newcomb expressed his opinion that he did not believe that public funds should be used to pave private property. Mr. Jones raised a question concerning the drainage problem on the Berlin lot. Mr. Haigler reported that his committee had met with the adjacent neighbors and pointed out that the portion to be paved by the Borough will not change the present drainage pattern. He also believed that there will be no gain in storm water run-off due to the paving. He pointed out that completing the Berlin lot affords a greater capacity for parking on the adjoining Arata portion. Mr. Haigler also pointed out that the lease calls for the Borough to pave the rear 2/3's portion of the property with Berlin to retain and pave the front 1/3 portion which he may use for trailer parking purposes. It was also noted that a right-of-way to Orchard Street was retained by the Robinson Publishing Company when the property was sold.

The vote on the motion to approve the above lease was: For--Messrs. Platten, Palmer, Brooks, Haigler, Rudolph; Against--Messrs. Newcomb and Jones.

Mr. Haigler reported that the steps taken to enlarge the parking lot at the rear of the State Employment building on York Road, north of Monument Avenue, are not adequate as to grading and paving. He recommended that the situation be called to the attention of the Zoning Board. It was also noted that the temporary Certificate of Occupancy, issued for the building, will expire at the end of the year.

Mr. Haigler advised that the budget has an appropriation item of \$2,000 for an addition to the maintenance building. The committee recommends that a concrete block addition be constructed, using Borough labor with the material cost to be less than \$2,000.

Mr. Haigler reported for the committee that the question of assessing for street paving on Jefferson Avenue, south of Corinthian Avenue, had been discussed by the committee. The committee recommends that curbs and the paving of one-half of the street be required of the builder.

A motion was made by Mr. Haigler, seconded by Mr. Rudolph, to direct that the builder (W. Benner) be instructed to provide curbing and 12 feet of street paving in line with the present street grade at Corinthian Avenue. Mr. Jones questioned what is to be done about the other side of the street. Mr. Haigler recommended that half of the street be constructed now with the balance to be built later. He further indicated that if the Borough pays for the street construction the tax income from the homes benefited for many years will be used to pay for the cost of the paving. Mr. Newcomb indicated that it is not necessary to use tax money for such construction. The State Highway Road Fund, derived from the gasoline tax, can be used for this purpose. He further recommended that a full street be constructed. Mr. Platten indicated that a half street is difficult and costly to maintain and that a full street might be necessary in order to collect rubbish and

garbage from the homes. Mr. Stauch pointed out with a rough sketch that the proposed half street would not be connected to the existing half street, thereby creating a useless street. Mr. Platten recommended that the problem be referred back to the committee to decide if both side curbs and full street paving are needed and assessable. Mr. Haigler indicated that the committee recommends requiring that part of the street presently under consideration in the subdivision approval, with the other parts of the street, to be completed by the Borough and possibly assessed. Mr. Palmer questioned the legality of paving now and assessing other property owners at a later date, when developed. Solicitor Henderson advised that assessments must be made within six months of the completion of the work. Mr. Haigler pointed out that the present half street has been in existence since 1952 and that the abutting lots on the east side of Jefferson Avenue are already liened for sewers. Mr. Palmer objected to being asked to "rubber stamp" committee recommendations. In response to this Mr. Platten recommended that all councilmen interested attend the Highway Committee meeting. The problem of constructing the street and assessing the cost was referred back to the Highway Committee for further consideration.

Mr. Haigler advised that in connection with storm drainage problems, in the Tanner Avenue and Jefferson Avenue areas, three residents had attended the committee meeting with complaints. It appears desirable to have curb installed to control the storm water. Mr. Haigler further reviewed the two surveys prepared by Mr. Haggerty and presented at the previous meeting and indicated that further studies are needed. He recommended that the engineer be asked to prepare a storm drainage system for the north-east section of the Borough and a complete storm drainage plan for the Borough. After completion of these plans the actual work could be done in small portions. An estimate of the engineering cost for the above surveys has already been requested from the engineer.

Mr. Haigler reported that on the approval of the President and Finance Chairman the engineer has been instructed to attend meetings of the Highway Committee instead of the regular council meetings.

Mr. Platten presented a letter received from Mrs. Partenheimer, 24 North Penn Street, which was read by the Secretary concerning the storm drainage channel which passes through her property. Mr. Platten recommended that an over-all survey of the drainage problems be made in order to keep storm water in defined channels.

Mr. Haigler advised that the Highway Committee recommended that the Secretary be authorized to advertise for bids for the construction of curbing on the west side of south York Road from the south Borough line, north to the existing curb. Following a discussion as to the date the bids are to be received, it was noted that the majority of council favored September 28. The

Highway Committee recommends that a combination curb and gutter be installed and that no sidewalk be constructed at this time. Mr. Jones recommended that underground pipe be installed from Newington Drive to Crooked Billet Road to handle the storm water from Moreland Manor. This installation may be cheaper than the special curb and gutter. Mr. Haigler pointed out that pipes smaller than 2' in diameter are difficult to maintain and keep open. He further advised that larger inlets on both sides of York Road and Crooked Billet Road are being negotiated with the State by the engineer in order to take care of the increased water flow.

A motion was made by Mr. Haigler, seconded by Mr. Palmer and approved by the council to authorize the Secretary to advertise for taking bids for the construction of curbing on the west side of south York Road on September 28, 1959.

Mr. Haigler reported that an invoice from Engineer Haggerty has been received for further engineering costs on Horsham Road in the amount of \$1010.35. A motion was made by Mr. Haigler, seconded by Mr. Rudolph and approved by the council to authorize payment of the above invoices. Mr. Newcomb pointed out that total cost for engineering to date on Horsham Road appears to be 60% over the estimate given by the engineer. Mr. Platten pointed out that the engineering payments to date will be applied against the engineer's standard percentage fee for the project when the work is completed.

Mr. Haigler reported that the Planning Commission has recommended that the Borough accept the offer made by the State Department of Highways to survey traffic conditions on York Road in an effort to synchronize the traffic signals to afford a better flow of traffic. A motion was made by Mr. Haigler, seconded by Mr. Rudolph and approved by the Council to adopt the following resolution:

RESOLUTION REQUESTING A STUDY FOR TRAFFIC
SIGNAL SYNCHRONIZATION OF U. S. ROUTES 611 AND STATE
T.R. 263

The Borough Council of the Borough of Hatboro hereby joins with the request of its neighboring municipalities in the Old York Road area and with the Montgomery County Planning Commission in the request to the Bureau of Traffic Engineering of the Pennsylvania Department of Highways that the said Bureau undertake the necessary studies without cost to the petitioners to determine the cost, feasibility, and other conditions of retiming and progressively synchronizing traffic signals and other desirable traffic engineering measures to reduce congestion and increase the capacity of U. S. Route 611 from Cheltenham Ave., Cheltenham Township, to County Line Road, Horsham Township and of State Traffic Route 263 from

Resolution Continued

Willow Grove, Upper Moreland Township to County Line Road, Hatboro Borough, all within Montgomery County.

To facilitate this study the Borough agree to:

- (1) Seek volunteer help to make the necessary counts.
- (2) Will give the ensuing report earnest consideration, with the realization that all municipalities must cooperate to get effective results and that the timing of traffic signals must facilitate the overall movement.
- (3) Will consider a contribution to the costs of modernizing controllers and other necessary installation costs.

Mr. Haigler advised that the storm sewer culvert on York Road north of Byberry Avenue has been inspected by the engineer and it is evident that repairs are needed. The State Highway Department will be contacted in this matter. A resolution will be prepared for adoption at the next meeting.

Mr. Rudolph reporting for the Public Health and Safety Committee presented the reports of the Building and Plumbing Inspector and the Assistant Health Officer for the month of August.

In connection with the revising of the traffic control regulations for York Road, Mr. Rudolph presented a recommendation that street markings be installed at York Road and Byberry Avenue at the earliest possible date.

Mr. Rudolph presented a recommendation that the parking meter in front of Farnell's store, 126 South York Road, be bagged during the hours of 7 to 9 A.M., 4 to 6 P.M. Monday through Friday and 7 to 9 P.M. on Friday, to aid the flow of through traffic around cars making left turns. There were no objections from council on this item.

Mr. Rudolph presented the recommendation that the present taxi stand on the east side of York Road, south of Lehman Avenue, be eliminated and that the parking meter north of the taxi stand be moved south to the taxi stand area. There were no objections from council on this change.

Burgess Williams recommended that the present center line on York Road and Lehman Avenue be moved west approximately 4 feet to permit two lanes of traffic at the intersection, to permit through traffic to move around left turning cars. The recommendation was referred to the committee for consideration.

Mr. Rudolph presented a recommendation that the parking meter

be reinstalled in front of Fordick's store, 206 South York Road, with a twelve minute parking limit. The meter is to be bagged and parking prohibited between 7 and 9 A.M. and 4 to 6 P.M., Monday through Friday and to 9 P.M. on Friday. A motion was made by Mr. Rudolph, seconded by Dr. Brooks, to adopt the following ordinance for the above item:

ORDINANCE NO. 330

TO AMEND ORDINANCE NO. 213, APPROVED APRIL 15, 1957,
BY CREATING AND MAKING PROVISION WITH RESPECT TO A SPECIAL
PARKING METER ZONE IN FRONT OF PREMISES 206 SOUTH YORK ROAD.

Mr. Jones questioned the above change in that through traffic will be allowed during the rush hours with the new bus stop at the bank interfering with the flow of traffic. He expressed the opinion that he could see no value of such interrupted flow during non-rush hours. He further indicated that the buses do not pull off the highway properly and questioned the advantage of the change in regulations. Mr. Rudolph pointed out that the change allows through traffic to pass left turning cars and removes hazards to the flow of traffic. Mr. Jones objected to the loss of high revenue meters and suggested that they all be reinstalled. Mr. Moffa suggested that passing on the right at the above intersection is a violation of the motor vehicle code. Mr. Platten indicated that the State Highway Department is being contacted to approve the placing of lane markers to legalize right side passing of the south bound traffic. The provisions of the motor vehicle code were discussed by Mr. Moffa and Mr. Haigler. The vote on the motion to adopt the above ordinance was as follows: For--Messrs. Platten, Palmer, Newcomb, Rudolph, Brooks, Haigler; Against--Mr. Jones.

Mr. Rudolph presented the report of the Police Department for the month of August.

Mr. Rudolph reported that two regular and one part time police women had been selected and sworn in by Burgess Williams on September 8. The two regular police women to replace two who had resigned at the end of the school year.

Mr. Rudolph advised that a request had been received for the placing of a crossing guard at Warminster Road and County Line Road. It was pointed out that approximately sixty children crossed the intersection four times daily. Mr. Rudolph advised that the committee had authorized the employing of a crossing guard for this intersection. A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to authorize the increasing of the crossing guard force to a total of 7.

Mr. Rudolph advised that maintenance costs on the 1958 police car are increasing monthly. The committee authorized that the police chief have extensive motor repairs made.

Mr. Rudolph reported that five bait stations for rodent control had been purchased and placed at the locations covered by recent complaints. Mr. Haigler pointed out that the poison used is Warfarin and that it is not dangerous to children or pets. Mr. Rudolph reviewed action taken by the Borough concerning the contamination of the Pennypack Creek since May 3, 1959. The Secretary read concerning letters written to the State Board of Health and the Bucks County Health Board. At the current date it is reported that contamination continues to exist in the stream as none of the industrial concerns along Jacksonville Road in Warminster Township have connected to the sewer system. The committee recommended that water samples be taken from the creek monthly and sent to the State for analysis. A regular monthly letter shall be sent to the State and Bucks County Health Departments, along with the analysis reports, so long as the contamination exists. The creek is to be posted with signs until further notice. It was further recommended that the item be eliminated from the agenda for the committee.

Dr. Brooks reporting for the Public Works Committee advised that he had met with representatives of the Bell Telephone Company concerning the telephone line on York Road poles. The two existing cables on York Road will remain even after the electric wires are placed underground. There are no plans for removal of these two cables. Local service on York Road will be from the rear of the properties, thereby eliminating all wires crossing York Road. When the electric wires are removed the remaining Bell telephone poles will be shortened and cross arms removed.

Dr. Brooks advised that the replacement of the ten wood poles on the west side of York Road, containing the street lights, can be retained or replaced with steel or aluminum poles. Replacing with steel poles at this time would cost \$180 per pole and with aluminum poles \$207 per pole. Replacement at this time will eliminate the Borough bearing the cost of rewiring. The committee recommends that aluminum poles be installed.

A motion was made by Dr. Brooks, seconded by Mr. Palmer and approved by the Council to authorize the installation of approximately ten aluminum street lighting poles on the west side of York Road at a total approximate cost of \$2070 for ten poles.

Dr. Brooks advised that he had complimented the electric company for the clean job they are doing in placing the electric wires underground.

Dr. Brooks discussed the present status of the project of repairing and moving the battle monument. A letter has been received from the Montgomery County Veterans' Affairs Bureau advising of numerous complaints against moving the monument to Madison Avenue. The original plan, that the cost of the project would be handled by the Veterans' Affairs Bureau, will be held up as the county bureau does not want to become involved in any local controversy. Dr. Brooks asked that the newspapers present a request to the

residents that all objectors file their opinions with the Borough office before next Council meeting on October 12, 1959.

Dr. Brooks did not present a financial report of the past operation as all bills have not been paid to date.

Mr. Platten reporting for the Finance Committee presented a committee recommendation that the first principal payment on the Moreland Avenue parking lot bond issue be paid out of the proceeds of the bond issue remaining after the construction was completed. There being no objection the committee recommendation was adopted.

Mr. Palmer discussed the proposed employee pension program and advised that Mr. Rosenbaum will meet with the Council on September 28 to further discuss the pension program. Any further questions should be given to the Secretary to be forwarded to Mr. Rosenbaum.

Mr. Platten advised that preliminary work on the 1960 Budget has been started and urged that all committees turn in their requests for appropriations.

Mr. Platten advised that he had written a letter to County Commissioner Cornell concerning the receiving of county aid for various Borough projects. On the Horsham project it is possible that 50% aid may be received. This appropriation will come out of the December 1 allocation from the State. Our request will be decided early in 1960. Concerning the improvement of west Moreland Avenue, Mr. Platten advised that the county engineer will look over the roadway and advise whether resurfacing or rebuilding is advisable. County aid for storm drainage in the Borough is a questionable item. The using of state gas tax money through the county for drainage is not permissible. Reconstruction or rebuilding of storm culverts under roads may possibly be approved. County aid for the parking lot proposal of Mr. Gamburg is not available from the state gas tax fund. If the Penn Street entrance to the lot is dedicated as a public road, aid may be possible for this small item. The possibility of county aid from the general funds of the county for storm drainage is a new and not previously used possibility and is subject to legal interpretation.

Mr. Rudolph questioned if the Horsham Road work could be started and county aid received at a later date. Mr. Platten recommended that the starting of the work be held up until the aid is approved. He also pointed out that the construction season is nearing an end. Burgess Williams recommended that applications be made promptly for possible county aid on drainage problem. Mr. Platten agreed that the application for county aid on the Penn Street entrance be made promptly.

Mr. Palmer pointed out that an over-all study of the storm drainage needs of the Borough is a necessity. Mr. Platten agreed and advised that Engineer Haggerty has been asked to give an estimate of the total engineering cost for such a Borough drainage problem.

Solicitor Henderson advised that he has consulted with the School Board solicitor concerning possible use of the Loller School building. Definite advice will be available for the next meeting.

Solicitor Henderson advised that the Mebus swimming pool case has been postponed to November or December, 1959.

Burgess Williams reported that an appointment of a member to the Shade Tree Commission is needed to replace Mr. Pendleton. He invited applicants to contact him.

Mr. Platten advised that he had written a letter to the Reading Company to set up a meeting to investigate the possibility of diverting the storm drain south along the Reading Railroad to Fulmor Station. It is expected that a meeting will be arranged shortly. It was agreed by Council that the Civil Service Commission be instructed to conduct a Civil Service examination in November to December so that an appointment can be made for the first of the year.

Mr. Rudolph advised that a resolution concerning the rerouting of turnpike traffic will be ready for the next meeting.

There was no report concerning Civil Defense activity.

Mr. Palmer questioned concerning the activity of the Ordinance Review Committee. It is expected that the committee will meet shortly to continue working on the ordinances.

Dr. Brooks discussed the proposal presented by Mr. Gamburg concerning the construction of a parking lot on the Garner-Barnes property. He expressed his opinion in favor of submitting the borrowing question to the voters on the November ballot using a minimum cost figure. An amount of \$45,000 was recommended for the bond issue. If the voters approve and the cost of construction exceeds the bond issue, Council could borrow any additional amount on a vote of the Council. Solicitor Henderson pointed out that the Ordinance and election information must be submitted to the County Election Board by September 19, 1959. A motion was made by Dr. Brooks that an ordinance be adopted to signify the intention of the Borough to borrow \$45,000 for the development of a parking lot in accordance with Mr. Gamburg's proposal and that the question be placed on the November 1959 ballot.

Mr. Newcomb withdrew from the meeting at this time (10:30 P.M.)

Mr. Jones stated that he would be willing to second the motion if the amount of the bond issue were nearer to actual cost. Mr. Palmer opposed putting the question on the November ballot due to the lack of information for the voter and due to the fact that the figure of \$45,000 is too low. He recommended that the engineer endeavor to estimate the total cost or that the project be handled through borrowing on the vote of Council. Mr. Rudolph questioned if it was consistent to have such a motion with the \$45,000 amount in view of the vote of confidence given by Council at a previous

for an amount of \$90,000. Mr. Jones indicated that he would be willing to accept the \$90,000 figure. Mr. Gamburg expressed doubt that there would be any need to ask for the voter's approval on the project. When the Business Men present the complete proposition to Council, including signed agreements and leases, including a guarantee of construction valued at \$1,000,000, he felt that the vote of the people would not be needed. He pointed out that the Business Men require at least 60 days to complete the campaign for raising \$125,000.

Miss Chianta discussed the figure to be placed for the bond issue borrowing and questioned whether it is ethical to put a false low figure on the ballot just to get the approval of the voters. She further stated that in her opinion it was not ethical to understate the total cost to the tax payer and then borrow additional funds by vote of Council.

Mrs. Coleman, Mr. Curnow and Mr. Paquette, all expressed their opinion in favor of not placing the question on the November ballot.

President Platten called for a second to the motion to adopt the ordinance. There was no second to the motion.

Mr. Jones recommended that in view of the request placed with the Attorney General for an investigation of Mr. Albert Moffa and noting that the reply has been received from the Attorney General indicating that Mr. Moffa did nothing unlawful, that Council should take some action to present an apology to Mr. Moffa. Secretary read the following letter from the Attorney General which is a reply to the resolution adopted at the July 13 meeting. A motion was made by Mr. Jones, seconded by Mr. Palmer to adopt a resolution to present a public apology to Mr. Albert Moffa in view of its resolution to the Attorney General requesting an investigation and receipt of a reply received from the Attorney General indicated above. Mr. Palmer noted that Council also voted to investigate this matter and to hold a hearing on the subject. He suggested that the investigation and hearing be cancelled. Mr. Platten pointed out Council's vote to investigate and hold a hearing was in connection with the Gniewek zoning case. Mr. Palmer suggested that an amendment be made to the above resolution to cancel any Council hearing as outlined in a previous resolution in referring to the Moffa-Haigler-Gniewek problem.

Mr. Haigler discussed the Attorney General's reply and pointed out that evidently there is no law against Mr. Moffa's misrepresentations, even though his actions were disreputable and despicable. He pointed out that he has already asked for investigation and proof of Mr. Moffa's claims and that he is opposed to the resolution of apology.

Mr. Palmer pointed out that when we depart from legality to morality it is difficult to draw the line.

Mr. Jones indicated that he was not trying to clear Mr. Moffa

except that the Attorney General's investigation has been completed and he believed action by the Council is necessary. He further pointed out that the letter written by Mr. Katz to Mr. Frant, quoting a price of \$20,000 for a property adjoining the Unilever property, was later disclaimed by Mr. Katz as being incorrect. This indicates that Mr. Gafney was a selfconfessed liar who misrepresented facts to Mr. Frant. This creates doubt as to the reliability of Mr. Gafney's statements concerning Mr. Moffa's phone calls to the Greenfield office about Mr. Haigler's property being listed for sale.

Mr. Rudolph agreed with Mr. Palmer in that outside of strict legality the rules are not very definite. Due to approaching election in November and being involved in such election he does not want his family or himself to be subjected to such activities as were conducted by Mr. Moffa against Mr. Haigler. By Mr. Rudolph's standard of morals Mr. Moffa's actions were wrong. An apology should not be made as Mr. Moffa was not hurt.

Dr. Brooks discussed Mr. Moffa's previous offer in a newspaper that if Mr. Moffa were cleared by the Attorney General's investigation that all councilmen who voted for the investigation would resign or that if Mr. Moffa were judged guilty he would resign as Justice of the Peace. Dr. Brooks indicated that he will make a public statement, resign from Council and apologize to Mr. Moffa, if Mr. Moffa will undergo a lie detector test, at Dr. Brooks' expense, if the test indicates that Mr. Moffa did not do what was claimed in the resolution. If the test proves that the charges made in the resolution are true then Mr. Moffa will resign as Justice of the Peace. Mr. Moffa accepted the offer made by Dr. Brooks and requested that Mr. Haigler agree to the same test. Mr. Moffa indicated that he never denied making the phone calls but pointed out that council has never asked for his side of the story. He pointed out that all actions to date are based on Mr. Gafney's statements.

Mr. Moffa asked if Mr. Haigler has ever endeavored to purchase the adjoining property owned by Mrs. Stephens. Mr. Haigler replied that he had but not under the circumstances implied. Mr. Moffa read a letter dated September 3, 1956, from Mr. Haigler to Mrs. Stephens as follows:

Dear Mrs. Stevens:

Doubtless you will recall that I once asked about your property next to us. Then it was not for sale and you assured us you could not cut the trees. Now I hear you are considering selling and if so I should like to talk to you. Of course, I am hoping that a more factual approach to the development of North York Road will benefit both the property owners and the town. Perhaps we both would gain from an exchange of views.

I shall be back in town next week.

Sincerely yours,
E. D. Haigler

Mr. Jones offered the same proposal for a lie detector test to Mr. Haigler and claimed that Mr. Haigler stated in a council meeting that the real estate assessment on Mrs. Stephens property was much too low. Mr. Haigler indicated his agreement to the lie detector test offer and Mr. Morstall offered to pay for the cost of the test for Mr. Haigler.

Mr. Sam Gamburg expressed his opinion that due to the receipt of the Attorney General's letter clearing Mr. Moffa it was only fair for council to offer an apology to Mr. Moffa. He then expressed his opinion that the councilmen are guided in their decisions by their own personal and political reasons rather than what is good for Hatboro. Mr. Rudolph objected to Mr. Gamburg's comments.

Mr. Haigler in reply to the letter read by Mr. Moffa indicated that he has always favored Residential C development for the North York Road area. Inquiries have been received concerning his and Mrs. Stephens property from two churches. All the inquiries were referred to the owner. The letter read by Mr. Moffa was written following receipt of such an inquiry when Mrs. Stephens could not be contacted personally. There were also problems concerning shooting and tree cutting which he wishes to discuss with Mrs. Stephens. Mr. Haigler further stated the commercial development of the area was never discussed and that many times he had tried to convince Mrs. Stephens that continued Residential C use of both properties was for the best interest of the property owners and the Borough.

Miss Chianta defended Mr. Rudolph in his statement concerning his running for re-election. Miss Stoll indicated that a public apology to Mr. Moffa was not needed. Mr. Moffa's actions were suspicious and Mr. Moffa did not reply when the charges were made by the council.

Mr. E. McCarty expressed his opinion that if Mr. Moffa has been cleared by the Attorney General he should be cleared by the council. The actions of Mr. Moffa were no closer to illegal actions than some of the actions and words of many councilmen. He urged that a vote of apology be taken.

Mrs. Coleman reviewed the Haigler-Gafney-Moffa discussion and stated that the action of the Attorney General was not conclusive. She believed that the men from Greenfield's office are respectable business men and doubts that their statements are not true.

Mr. Jones withdrew his previous motion. A motion was made by Mr. Jones, seconded by Mr. Palmer, to acknowledge receipt of and place in the minutes the report of the Attorney General, and acknowledge that the report of the Attorney General clears Mr. Moffa and indicate that Borough Council intends to take no further action.

September 4, 1959

Mr. Thomas A. McClurken
Borough Secretary
Borough of Hatboro
120 East Montgomery Avenue
Hatboro, Pennsylvania

My dear Mr. McClurken:

Pursuant to a resolution adopted by the Council of the Borough of Hatboro on July 15, 1959 requesting an investigation by the Department of Justice of certain activities of Justice of the Peace Albert J. Moffa, a preliminary investigation was made.

As a result of the preliminary investigation, I am of the opinion that Mr. Moffa did nothing unlawful. Therefore, no further investigation or other action is contemplated.

Very truly yours,

(signed) Victor Wright

Victor Wright
Deputy Attorney General

VW:ip

Burgess Williams discussed the letters of the Attorney General and commended the representatives of Greenfield Company. Burgess Williams does not favor asking any councilmen to vote on a motion to apologize as it would be agreeing that Mr. Moffa did not make the phone calls which he admitted making.

The vote on the motion to adopt the above resolution was as follows: For--Messrs. Palmer and Jones; Against--Messrs. Haigler, Brooks, Rudolph, Platten. The motion was declared defeated.

Mr. Jones questioned the action of council and the Burgess in refusing to give Mr. Moffa a copy of Mr. Gafney's statements. Mr. Moffa indicated that he was denied access to Mr. Gafney's statements both after the council meeting and for several days until permission was granted by president of council, Mr. Jones, that he be permitted to review the statements.

Mr. Moffa stated that he had never been given an opportunity to answer the charges and Mr. Platten offered an opportunity to Mr. Moffa to discuss with Council his comments on the charges made in the resolution to the Attorney General. Mr. Moffa indicated that he will discuss the offer with his attorney, he will contact Mr. Platten and Mr. Platten will poll the council for their opinion whether they will hear Mr. Moffa.

The following bills were presented by the Mayor and approved by the Council for payment:

<u>No.</u>	<u>Vendor</u>	
506	Bux-Mont Office Supply Co.	\$ 16.72
507	Hatboro Borough Authority	570.73
508	Mr. Knox Henderson	125.00
509	Gatchel & Manning Co.	113.44
510	Mr. Frank Fretz	93.00
511	Bell Telephone Co. of Penna.	115.24
512	Haggerty, Boucher & Hagan, Inc.	1,010.35
513	Hatboro Office Supply Co.	14.36
514	The Intelligencer Co.	11.50
515	The Intelligencer Co.	10.08
516	Montgomery Publishing Co.	3.08
517	Miller & Cornell, Inc.	44.83
518	Philadelphia Electric Co.	10.00
519	Phila. National Bank, Corp. Trust Dept.	5,450.00
520	Postmaster-Hatboro	20.00
521	Philadelphia National Bank, Hatboro Off.	47.22
522	Weldon Auto Supply Co.	2.68
523	J. Alvin Wolverton	10.00
524	Taggart's Hardware	25.17
525	Sinclair Refining Company	186.71
526	Roxy Lawnshear Corp.	30.00
527	Martin & Bradley	19.68
528	Markovich Auto Parts	29.36
529	I. M. Jarrett	95.94
530	Brooks Paint Store	8.42
531	C. & C. Supply Co. Hatboro	1.32
532	James Craig	9.19
533	Eureka Stone Quarry, Inc.	58.96
534	Ed's Hardware	7.44
535	General Crushed Stone Co.	162.19
536	Hatboro Lumber & Fuel Co.	25.07
537	Holcomb Mfg. Co., Inc.	23.85
538	Jim Banas Ford, Inc.	188.30
539	Mr. E. S. McVaugh	3.78
540	Philadelphia Electric Co.	894.25
541	Magee-Hale Park-O-Meter Co.	44.30
542	Dr. Charles O. Mimm	10.00
543	Magee-Hale Park-O-Meter Co.	48.00
544	Cameron's Sanitary Landfill	126.00
545	Upper Moreland-Hatboro Joint Sewer Auth.	40.16
546	Steward In-Fra-Red Commissary	54.06
547	Philadelphia Electric Co.	271.83
548	Middle Dept. Assn. of Fire Underwriters	5.00
549	Martin Witchwood Ice Cream Co.	424.84
550	Martin Century Farms	40.90
551	Metropolitan Bottling Co., Inc.	42.97
552	Hatboro Hardware	8.18
553	Hatboro Hardware	2.61

554	Galer & Hults, Inc.	\$	56.75
555	A. C. Prattone		19.15
556	B-I-P Industries, Inc.		48.83
557	Bell Telephone Co. of Penna.		27.47
558	Eric Belar		7.90
559	Heil Equipment Co. of Phila., Inc.		128.29
560	Old York Road Publishing Co.		130.00
561	McCarty Brothers		55.00
562	Accounting Adjustment		--

Following a further discussion concerning Mr. Moffa's efforts to review the Gafney letters, a motion was made by Mr. Talner, seconded by Mr. Daigler and approved by the Council to adjourn at 12:04 A.M.

Thomas A. McClurken
Secretary

Hatboro, Pa.
September 28, 1959

A special meeting of the Borough Council was held on the above date in the Municipal Building. The purpose of the meeting was to open bids for the construction of curbs on South York Road, to give further consideration to Employees' Pension Program and to consider any other business brought before Council.

The meeting was called to order at 8:05 P.M. by President Platten with the following present: Councilmen Palmer, Jones, Platten, Haigler, Rudolph, Newcomb; Treasurer Gintowt, Superintendent Stauch, Engineer Haggerty, Building Inspector Wilcke, 2 press representatives and 5 residents.

Mr. Platten called for any additional bids to be received. None were presented.

As instructed by Mr. Platten, Secretary opened the following sealed bids for the construction of curbs on the west side of South York Road and read aloud the bids.

	Harris Gramm, Inc.	Carbone Bros.	Chain Concrete Constr.	Longs- dorph Inc.	Glasgow Inc.
<u>ITEM NO. 1 - Grading</u> (along Old York Road)					
(a) Excavation- Earth un- classified) 250 Cu.Yds	362.50	435.00	725.00	435.00	435.00
(b) Bulk Rock Excavation 10 CuYds	160.00	200.00	400.00	50.00	150.00
(c) Sodding 85 SqYds	68.85	127.50	85.00	76.50	85.00
<u>ITEM NO. 2 - Cement Con- crete Curb</u> 8"x8" (7" on Top)x22" - 1:2:3 1/2 Mix					
(a) Straight Curb 835 Lin. Ft.	1503.00	1544.75	2087.50	1670.00	2087.50
(b) Radial Curb 150 Lin. Ft.	292.50	300.00	450.00	315.00	390.00
<u>ITEM NO. 3 - Tree Removal</u>					
(a) Removal of 14 trees	1050.00	2800.00	2800.00	2100.00	2800.00
<u>ITEM NO. 4-Adjustment of Driveways</u>					
(a) New Stone Base and Top Course 150 SqYds	322.50	375.00	1500.00	450.00	450.00

Continued	Harris Gramm, Inc.	Carbone Bros.	Chain Concert. Constr.	Lones- dorph Inc	Glas- gow Inc
ITEM NO. 5-Reinforced Concrete Pipe (Elliptical Shape) (Equivalent to 18" Dia. round pipe)	538.50	539.00	545.00	560.00	540.00
(a) 0 to 4' Depth-70 Lin. Ft.					
ITEM NO. 6-Open Mouth Inlets					
(a) 2 No. 1 O.M. Inlets	650.00	520.00	650.00	570.00	500.00
TOTAL	5035.85	6841.25	9537.50	6366.50	7737.50

Mr. Platten announced that the above bids are referred to the Highway Committee for review and committee recommendation with the bids to be awarded at the Council meeting of October 12, 1959.

The Secretary presented the following letter from the Hatboro School Board indicating their intention to enact a 1% real estate transfer tax.

Borough Council of the Borough of Hatboro
Borough Hall
Hatboro, Pa.

Gentlemen:

Pursuant to the Act of Assembly of June 25, 1947, P.L. 1145, as amended, the School District of the Borough of Hatboro hereby gives you notice of its intention to levy a 1% tax on sales involving the transfer of title of real property and that it intends to adopt a resolution levying this tax in 1960, so that the tax will become effective for the school year beginning July 1, 1960.

Yours very truly,

(signed) James T. Eaton

Secretary

Mr. Platten discussed in detail the above action and referred the letter to the Finance Committee for consideration.

Mr. Platten discussed the proposal to construct an addition to the maintenance building. He reported that he had written a letter to all Councilmen and the Burgess pointing out State re-

quirements on a fire-proof roof and additional doors which may increase the cost of the project. Mr. Platten has instructed Mr. Stauch to contact Stephen Hazzard, architect, who has given estimates for the construction of both block and steel buildings. An estimate of the architect's fee has been given as Mr. Platten feels that the Borough building should receive the benefit of professional advice. Mr. Hazzard's estimate of \$200 was reported. The Secretary read a letter from Mr. Hazzard containing recommendations and estimates for a concrete block building of 1425 sq. ft. amounting to \$4200 and a prefabricated steel building of 1280 sq. ft. amounting to \$5400. Mr. Stauch presented a quotation from Stran-Steel for a 24x42' steel building to cost \$3100 erected. Mr. Newcomb expressed doubt for the need of an architect or State approval for the project.

A motion was made by Mr. Haigler, seconded by Mr. Rudolph and approved by the Council to authorize the Secretary to advertise for the receiving of bids on October 26, 1959, for the construction of an addition to the maintenance building with specifications to cover both a concrete block and a steel building.

Following a discussion concerning the preparation of specifications a motion was made by Mr. Newcomb, seconded by Mr. Palmer, to authorize Mr. Stauch to prepare the specifications and supervise the construction of the above building. Mr. Platten expressed his opinion in favor of retaining an architect to prepare the specifications, evaluate the bids, and supervise the construction of the building. Mr. Newcomb expressed his opinion against retaining an architect. Mr. Palmer agreed with Mr. Platten in favoring an architect if a concrete block building is built. The vote of the Council on the above motion was as follows: For--Messrs. Palmer, Newcomb and Jones; Against--Messrs. Platten, Haigler and Rudolph. The motion was declared defeated.

A motion was made by Mr. Haigler, seconded by Mr. Rudolph to authorize the retaining of an architect to prepare the plans, write the specifications, obtain State approval and assist in evaluating the bids, at a cost not to exceed \$200. The vote on the motion was: In favor--Messrs. Jones, Platten, Haigler, Rudolph; Against--Messrs. Palmer and Newcomb. The motion was declared approved. The retaining of the architect was referred to the Highway Committee.

The Secretary presented a letter from the Upper Moreland-Hatboro Joint Sewer Authority asking for Council approval of the sewer connection of Louis and Mary Fazio, 470 Township Line Road, Horsham Township which is outside the sewer service area in Horsham Township. The letter was referred to the Highway Committee for review and recommendation.

Mr. Paul Rosenbaum discussed his proposal for the Employees' Pension Program. He pointed out that it is similar to the Police Department plan except the retirement is at 65 years of age with 20 years minimum service to receive the full benefit of 50% of average

salary for the last 5 years. The plan also included death benefits of approximately one year's pay. He also pointed out that this plan is similar to other municipal plans and in his opinion should not be considered a liberal plan. Questions were presented by Councilmen and answered by Mr. Rosenbaum. At the conclusion of the discussion Mr. Platten advised that the Finance Committee will give consideration to the plan and making recommendation at the next meeting.

The Secretary read a letter from Mr. Reddish to Mr. Platten pointing out that he had been unsuccessful over a period of several months in obtaining a copy of the verbatim minutes of a meeting held in Mathers sometime ago by the Montgomery County Redevelopment Authority with Mathers business men. Mr. Platten indicated that he would contact the chairman of the authority to receive the above report.

The Secretary reported that the lease for the Berlin parking lot had been completely signed. Work can now be started on the project.

Secretary advised that he had located in the safe deposit box an agreement between the Borough and Matilda Smith, previous owner of the Smith Chevrolet Company, indicating that in return for payment of \$250 by Mrs. Smith the Borough was granted a 3' right-of-way, west from York Road, for the construction of a storm sewer pipe. The agreement also required that the Borough was responsible for maintenance of the storm sewer. This information is relative to the installation of a grate on the storm sewer.

Mr. Stauch reported that while the sidewalks on York Road over the storm culvert are removed, it would be advisable to have necessary repairs made to the storm sewer. Mr. Platten recommended that the work be done immediately. Mr. Stauch recommended that the contractor presently excavating for the electric company make the necessary repairs as Borough labor is not available at this time. Repair work on the street inlet pipes entering the storm sewer is also recommended. Following a discussion a motion was made by Mr. Jones, seconded by Mr. Platten and approved by the Council to authorize the repairing of the storm sewer entering York Road on the east side and the repairing of the venturi under York Road, with a total cost not to exceed \$950.

A motion was made by Mr. Platten, seconded by Mr. Newcomb and approved by the Council to adjourn the meeting at 10:40 P.M.

Thomas A. McCluskey
Secretary

Hatboro, Pa.
October 12, 1959

The regular meeting of the Borough Council was held in the Municipal Building on the above date.

The meeting was called to order at 8 P.M. by President Flatten with the following present: Councilmen Flatten, Palmer, Haigler, Newcomb, Rodolph and Jones; Treasurer Glatoff, Engineer Haggerty, Superintendent Stauch, Building Inspector Wilcke, Solicitor Henderson, Burgess Williams, Mr. Stephen Hazzard, Architect, two press representatives and eight residents.

The invocation was given by Burgess Williams.

Mr. Flatten presented the annual appropriation check to Chief Aiman of the Enterprise Fire Company.

The minutes of the Council meetings of September 14 and September 28 were reviewed and corrected. A motion was made by Mr. Palmer, seconded by Mr. Haigler and approved by the Council to accept the minutes as corrected.

Mr. Haigler reporting for the Highway Committee advised that the committee had retained Stephen Hazzard as architect for the addition to the maintenance building. Mr. Hazzard reviewed the plans and specifications which he had prepared, which called for bids for both concrete block and steel buildings. He also pointed out that the specifications have been reviewed by Solicitor Henderson. Council agreed that the bids are to be received on October 26, 1959 and authorized the required advertising.

Mr. Haigler reported that the bids received for the curbing construction on south York Road have been reviewed by his committee. He reported that the drainage facilities presently installed at York Road and Crooked Billet Road will not have to be enlarged. Mr. Haigler further advised that the Highway Committee recommends that the contract be awarded to Harris Gramm, Inc. in accordance with their bid in the amount of \$5,035.85.

A motion was made by Mr. Haigler, seconded by Mr. Newcomb and approved by the Council to award the contract for the construction of curbing on the west side of south York Road, from the George Porter property south to the Boro line, to Harris Gramm, Inc. and to authorize the president and secretary of Council to execute the contracts.

Engineer Haggerty pointed out that due to the existing property lines in the area where curbing is to be constructed at the curve in the road, a small portion of ground must be taken from the property owners. It was agreed that the engineer is to compute the area needed so that the secretary may contact the two property owners and if legally required have releases signed.

The question of the assessment of the cost of the above curbing installation was discussed. Mr. Haigler presented a committee recommendation that 100% of the curb cost, driveway adjustment, tree removal and a proportionate share of the legal cost be assessed to the property owners. The Borough is to pay for the cost of the street paving and drainage work.

Solicitor Henderson pointed out that in the absence of a petition from the property owners a limit of 2/3's of the cost is assessable to the property owner. Following a discussion of the possible cost per foot for the curb, it was agreed that the solicitor would draw up an ordinance covering the assessment procedure to be presented for approval on October 26, 1959. The ordinance should be based on assessing all costs to the property owners permitted by law.

It was agreed that the residents of the area involved in the above work be invited to the council meeting on October 26 so that the assessment procedure may be discussed.

Treasurer Gintowt presented a report that the balance in the treasury at September 30, 1959, was \$10,890.35. All temporary borrowing has been repaid. Mr. Gintowt also advised that an excess cash balance of approximately \$40,000 has been invested in 30 day treasury bills which in one month will earn \$109.36 interest. A motion was made by Mr. Palmer, seconded by Mr. Jones and approved by the Council to accept the above treasurer's report.

Mr. Platten pointed out that the above investment was recommended by Mr. Gintowt and that any surplus cash balance at the end of 30 days may be reinvested in the same manner.

Mr. Platten pointed out that the cost of the repairs to the culvert under York Road, north of Byberry Avenue, will exceed budget appropriation. He recommended that \$450. be transferred to the appropriate account to cover the above authorized work.

A motion was made by Mr. Palmer, seconded by Mr. Haigler and approved by the Council to adopt the following resolution:

RESOLVED, That an amount of \$450 be transferred from Account #41-T, Capital Outlay, Land Damages to Account #41-J, Repairs to walks, drains, etc.

Mr. Platten reported that letters had been received from the Hatboro School Board and the Pennypack P.T.A. organization renewing requests for sidewalks in the vicinity of the elementary schools. Replies to the letters have been made by Mr. Platten and were read by the Secretary indicating that facts concerning the flow of children and traffic on the streets be collected and forwarded to the council. A suggestion was also included in the

Letters that the Borough may, a portion of the construction cost. Mr. Newcomb indicated that this question is a Public Safety matter and should not be passed back to the School Board and P.T.A. organizations. Mr. Palmer indicated that he had attended the P.T.A. meeting and indicated that their members will provide the necessary information requested by Mr. Platten's letters. Mr. Newcomb urged that definite action be taken as soon as the information is received.

Mr. Platten reviewed Mr. Palmer's work on the "Report to the Residents" recently published and advised that the report had been entered in a state wide contest by the Secretary and had received "Honorable Mention" award. The awards are to be made at a banquet held at the Pennsylvania State University on October 23, 1959 during a meeting of the municipal finance officers. He advised that the Secretary will attend to receive the award for the Borough. A motion was made by Mr. Platten, seconded by Mr. Palmer and approved by the Council, to authorize the paying of necessary expenses for the Secretary to attend the above meeting.

Mr. Palmer discussed in detail the proposal made by Paul Rosenbaum & Associates for a pension program for borough employees other than police officers. He reported that the Finance Committee recommends the approval of Plan No. 1 which provides for half-pay pension at age 65 upon completion of 20 years service with the borough, along with death benefits of a minimum of \$4500 per employee and at the rate of \$750 per each \$10 per month pension received. This program includes the use of social security benefits. A motion was made by Mr. Palmer, seconded by Mr. Haigler and approved by the Council to indicate Council's approval of Plan No. 1 for the Employees' Pension Program and to authorize Paul Rosenbaum and Associates to proceed to put the program into effect on January 1, 1960. Mr. Haigler indicated that the Finance Committee has agreed that increases in pay will be granted at least in the amount to cover the added payroll deductions for the pension program.

Mr. Haigler reported that the culvert repair work on York Road has been ordered but has not been started to date. The work will be performed by DeFlavis Company.

Mr. Haigler also reported that work has started on the Berlin portion of the parking lot. Excavation work has been completed and the stone base has been installed.

Mr. Haigler discussed the approval of a subdivision plan for Christian Benner for lots at the southwest corner of Warminster and Byberry Roads. A drainage plan to reroute the storm drains has been submitted by Mr. Benner but was judged unsatisfactory by the committee. The committee recommends approval of issuance of building permits on the two westerly lots and not on the two easterly lots. It is felt that serious storm sewer problems will result if proper care is not now taken of this problem. There were no objections from Council concerning the committee recommendation.

Mr. Haigler discussed the approval of the subdivision plan for William Benner for two lots on the west side of Jefferson Avenue south of Corinthian Avenue. The committee recommends that the subdivision plan be approved without conditions (curbs, sidewalks or street paving) because the grade has not been set for the street and future development of the area is not certain. It was also pointed out that there are no adjacent curbs to connect to. A motion was made by Mr. Haigler, seconded by Mr. Rudolph, to approve the subdivision plan for William Benner for the above lots on Jefferson Avenue. Mr. Jones questioned furnishing rubbish collection service to the homes due to the lack of street paving. The committee agreed that rubbish containers could be taken north to the Corinthian Avenue corner. Mr. Newcomb indicated his opinion in favor of improving the street with either State Highway or Borough funds. Burgess Williams expressed his opinion that when the grades are established the home owners should be required to put in curbs, sidewalks and streets. Mr. Haigler indicated that he did not favor the Borough paying for any of the above costs as it constituted a subsidy to the builder. Due to the lack of agreement the motion and second to approve the subdivision plan was withdrawn and the question returned to the committee for reconsideration.

Mr. Gramlich, a property owner on Jefferson Avenue, indicated that if the Borough absorbs paving costs on south York Road, why should not the Borough cover the paving costs on Jefferson Avenue. Mr. Platten explained the action on York Road as a temporary paving job. Mr. Haigler reviewed the maintenance costs on south York Road and explained that curb installations are to relieve wash out problems and to encourage the State to install permanent paving.

Mr. Berlin, in discussing the completion of the Berlin portion of the parking lot, advised that his original understanding was that the Borough would pave the entire lot and charge him for his share which is not under lease to the Borough. Mr. Haigler recommended that the Borough do the complete job in accordance with Mr. Berlin's understanding but Mr. Palmer and Mr. Platten pointed out that the Borough maintenance department is presently overloaded with maintenance and repair projects and did not recommend that this additional work be assigned to them. Mr. Platten favored having Mr. Berlin make his own deal with the contractors on the job to do his portion of the work. Mr. Stauch indicated that Mr. Berlin's portion represents the most difficult part of the lot and requires much time and supervision. Following this discussion it was agreed that the Borough would endeavor to have the same contractor complete the Berlin portion and render separate bill to Mr. Berlin.

Mr. Haigler discussed the approval of a sewer connection agreement for the Favio property, Township Line and Easton Roads. It was pointed out that terms are the same as is in previous agreement with \$10 per front foot assessment, \$125 connection fee, plus 6% interest on the unpaid balance. A motion was made by Mr. Haigler, seconded by Mr. Newcomb and approved by the Council to approve the

above sewer connection agreement.

Concerning the preparation of an estimate for the total engineering costs for a storm sewer survey of the Borough, Mr. Delator reported that the figures will be available within two weeks.

Mr. Rudolph reporting for the Public Health and Safety Committee, called attention to the fact that he was the only committee member present at the committee meeting. The meeting was also attended by the President and Secretary of Council, the Burgess, and the Police Chief.

Mr. Rudolph advised that an additional "No Left Turn" sign has been installed on the southwest corner of York Road and Lehman Avenue.

Mr. Rudolph commented on a letter received from Robert Berlin, president of the Hatboro Business Mens' Association, protesting the bagging of parking meters on York Road during the Friday evening shopping hours. As this plan has only been tried for a short time it was agreed that the test would be continued for several months before a permanent decision is made.

In connection with the rerouting of turnpike traffic through Hatboro, it was agreed that this item would be given consideration in the planned study of the over-all traffic situation in the Borough. In this connection Mr. Flatten has suggested that a qualified engineer be retained to determine the cost of such a study. Contacts will be made on this matter.

Mr. Rudolph commented concerning applications received by the Zoning Board for permission to construct gasoline filling stations at the southwest corners of York Road and Montgomery Avenue and York Road and Monument Avenue. It was pointed out that the planned modern style building is not desirable. In the case of the Montgomery Avenue application it was felt that approval should be discouraged for the following reasons:

1. Location at the juncture of two state highways, and possible traffic congestion.
2. Proximity to a Church, a Theatre, and a Funeral home, in addition to three (3) other service stations.
3. Loss of parking on York Road and West Montgomery Avenue.
4. Possible incompatibility with Planning Commission over-all objectives.

The Secretary was directed to forward the above information to the Zoning Board.

In connection with the forwarding of the above information to the Zoning Board, a motion was made by Mr. Rudolph, seconded by Mr. Newcomb and approved by the Council to authorize that the above letter be sent to the Zoning Board as an expression of the opinions of Borough Council.

Mr. Rudolph advised that in preparing for the traffic count on York Road, associated with the proposal to synchronize all traffic signals between Philadelphia and County Line Road, no effort has been made to recruit volunteers. Possible use of off-duty policemen and police women was discussed. The Secretary was directed to contact the Hatboro School Office in order to obtain their services in making the traffic count.

Mr. Rudolph reported that a survey crew from the State Highway Department will be in Hatboro on October 13, 1959, in connection with our request for a right-turn green arrow at York Road and Byberry Avenue.

Mr. Rudolph presented the reports of the Building Inspector, Plumbing Inspector and Assistant Health Officer, for the month of September.

Mr. Rudolph reported that Building Inspector and Secretary have reviewed the requirements imposed by Council in the construction of the industrial park on County Line Road by Mr. Kushin. All possible requirements have been complied with to date with the exception that a 60' planted area in the middle of the turn-around has been provided for by the builder. This item was not included in the original plan. The Secretary was directed to advise Mr. Kushin that a revised plan showing the above change be submitted to Council for consideration and approval.

Mr. Rudolph presented the report of the Police Department for the month of September.

Burgess Williams advised that the following had been received from Pennsylvania Department of Justice indicating that the annual inspection had been made of the borough lockup with the report of the condition as indicated below.

1 October 1959

Dear Mr. McClurken:

The annual inspection of the Hatboro Borough Lockup was conducted on 21 September 1959 by the Bureau of Correction, in compliance with Sections 2303 and 2304 of The Administrative Code, Act of April 9, 1929, P.L. 177, as amended January 4, 1956.

The jail was found to be well equipped, maintained in very good physical and sanitary condition, closely supervised, and

Continued

efficiently operated. It certainly conforms favorably to modern detention standards in every respect, and merits an overall rating of EXCELLENT.

The Bureau of Correction highly commends the Borough Officials for their progressive and conscientious administration of their detention facility, and sincerely appreciates the cooperative assistance and courteous reception accorded the inspector by H. Leslie, Winner, Lieutenant.

Very truly yours,

Robert A. Itri
Director of Inspections

for: ARTHUR T. FRASSE
COMMISSIONER OF CORRECTION

Mr. Rudolph introduced the following resolution commending Police Chief Dudbridge for his directing of the Hatboro Police Department. A motion was made by Mr. Rudolph, seconded by Mr. Newcomb and approved by Council to adopt the following resolution:

RESOLUTION

The Borough Council of Hatboro wishes to take this opportunity to publicly commend our Police Chief, Walter Z. Dudbridge, for the excellent manner in which he is conducting the business of his department. We wish to express our sincere appreciation for his devotion to his job of "protecting life and property" in our town, and for the capable, intelligent and humane way in which he handles the frequently trying situations with which he is faced.

As a result of the way in which Chief Dudbridge, and the men of his police force, perform their job of protecting our town and its people, we may all rest easier in our homes. For this we feel an expression of our appreciation, respect, and confidence is due and it is hereby tendered.

Mr. Rudolph advised that information has been received from the Civil Service Commission that an examination for patrolman will be held on or about November 15. The examination will be publicized by placards, newspaper advertisements and an article by a member of the Commission.

Mr. Rudolph advised that the committee has discussed the 1960 Budget and recommended salary changes for police personnel, replacement of the two police cars and the appointment of one additional patrolman. It was also reported that a study is being made of the

work schedule of the Police Department in an effort to effect a possible reduction in work hours per week. A one hour per week training period is also being conducted by the Chief for the police women.

Mr. Rudolph reporting concerning health problems indicated that inquiries are being sent out to obtain information for mosquito control for the 1960 season.

Mr. Rudolph advised that a letter had been received with reference to curbing of dogs in the borough. As many complaints have been received in this connection it is thought that an educational program through the newspaper may be the proper approach to the problem.

Due to the absence of Dr. Brooks, Mr. Flatten summarized action to date concerning moving and rebuilding of the battle monument. The Secretary read a petition from the residents of east Monument Avenue expressing their opposition to the moving of the monument from its present location. A letter was also read from the Junior Order of United American Mechanics indicating they have withdrawn as sponsor of the monument project due to the apparent opposition of a few residents and the delay in getting started. Mr. Flatten reviewed action taken on this matter to date and directed that the protests be forwarded to the County Veteran's Affairs office with advice that Borough Council wishes to proceed with the project. Financial support from the Veteran's Affairs office is still needed. Mr. Flatten also indicated that if the monument is moved the intersection of York Road and Monument Avenue should be regraded and improved.

It was reported, that as all bills in connection with the swimming pool operation have not been paid to date, a final financial report is not available. It was recommended that the water be kept in the pool so that a qualified engineer may review the piping system and operation of the filter system. Solicitor Henderson indicated that every effort will be made to have an engineer review the pool operation within a week.

Solicitor Henderson discussed the proposal for the Borough to use the Loller School building for community and Civil Defense purposes. Mr. Henderson has contacted the School Board solicitor and will have a definite report shortly concerning future possible use of the building.

Mr. Rudolph presented announcements of meetings conducted by the Regional Health Office of the Pennsylvania Department of Health and the Plumbing Inspectors' Association. It was agreed that Mr. Wilcke be authorized to attend these meetings with expenses to be paid by the Borough.

Secretary read a letter from Mr. Beebe, 327 Mill Road, presenting a complaint caused by commuter parking in front of his

property. Possible acquisition of land on Warminster Road to provide off-street commuter parking was discussed and referred to the Public Safety Committee.

A letter was read by the Secretary from Tice Chemical Company indicating that development plans would be forwarded to the Borough within a few weeks.

Mr. Platten presented a letter received from the Hatboro Gardens Civic Association presenting their comments concerning the development of the Lucy Barnes-Garner property in accordance with Mr. Gamburg's proposal. The letter expressed their opinion in favor of Mr. Gamburg's proposal.

Mr. Laquette, Fulmor Avenue, questioned concerning the solving of the storm drainage problem through the Garner property. Mr. Platten indicated that a comprehensive storm sewer plan for the Borough is being investigated and will include the above property.

The following bills were presented by the Secretary and approved by the Council for payment:

<u>Vo.#</u>	<u>Vendor</u>	
563	Phila. National Bank, Hatboro Office	\$ 1,327.32
564	Phila. National Bank, Trustee	701.41
565	Philadelphia National Bank, Hat. Off.	5,000.00
566	Ditto	20,000.00
567	Metropolitan Bottling Co., Inc.	90.95
568	Martin Witchwood Ice Cream Co.	127.58
569	Lance, Inc.	37.31
570	Henricks Pretzel Co.	82.80
571	Martin Century Farms	46.40
572	Stewart In-Fra-Red Commissary	150.47
573	Suntheimer's Bakery	2.25
574	Mandes Quality Food Market	9.20
575	Ambler Laboratories	132.50
576	Bell Telephone Co. of Penna.	1.40
577	Eric Belar	2.10
578	Marsden's Gas Service	24.00
579	Fred Krauskopf	2.50
580	John P. Devitt, Jr.	26.76
581	Parnell Pharmacy	6.30
582	Taggart's Hardware	3.18
583	Mitchell & Ness	36.00
585	Fred Krauskopf & Asso.	14.85
586	Cheltenham Auto Glass	36.68
587	Columbia Ribbon & Carbon Mfg. Co. Inc.	7.27
588	Cameron's Sanitary Landfill	142.00
589	Eastman Kodak Stores, Inc.	102.90
590	General Crushed Stone Co.	161.37
591	J. I. Holcomb Mfg. Co., Inc.	23.30
592	Hatboro Auto Radiator Service	15.00
593	Heil Equipment Co. of Phila., Inc.	4.20

594	Charles Handschuh	34.00
595	Wm. Hobensack's Sons	.72
596	Hatboro Appliance Corp.	11.00
597	Mr. Jack Hoover	10.95
598	Hatboro Borough Authority	555.00
599	The Kelly-Springfield Tire Co.	11.12
600	Industrial Products Co.	17.11
601	Fred Krauskopf & Asso.	51.35
602	Kapusta Tailor Shop	25.25
603	National Disinfectant Co.	52.10
604	Hatboro Borough Authority	6.74
605	Hatboro Borough Authority	7.65
606	Ditto	622.55
607	"	506.25
608	Void	
609	Eureka Stone Quarry, Inc.	128.29
610	Ditto	101.57
611	"	175.42
612	Brooks Paint Store	19.92
613	Jim Banas Ford, Inc.	192.62
614	Ditto	3.41
615	Bux-Mont Office Supply Co.	2.64
616	Bell Telephone Co.	2.42
617	Ditto	124.44
618	C & C Supply Co. of Hatboro	82.10
619	Grove Supply, Inc.	18.67
620	Hatboro Office Supply Co.	55.69
621	Mr. Knox Henderson	125.00
622	Hatboro Lumber & Fuel Co.	36.97
623	Delaware Valley Concrete Co., Inc.	78.13
624	Hatboro Concrete Block Co.	2.96
625	Weldon Auto Supply Co.	2.68
626	I. M. Jarrett	35.15
627	The Intelligencer Co.	92.85
628	Koppers Company, Inc.	655.54
629	Lou's Sunoco	24.12
630	Lou's Sunoco	49.50
631	Markovich Auto Parts	1.92
632	Marsden's Gas Service	10.02
633	Miller & Cornell, Inc.	295.68
634	Ditto	15.83
635	"	47.50
636	Mr. E. S. McVaugh	3.00
637	Parnell Pharmacy	.75
637-A	Comm. of Penna., State Council of C.D.	11.94
638	Pine Run Farm Supply Co.	24.18
638-A	Smith Chevrolet Co.	1.60
639	Albert Steinberg & Co.	7.44
639-A	Phila. Shelving Corp.	34.95
640	Philadelphia Electric Co.	894.25
640-A	Sinclair Refining Company	30.80
641	Alex L. Parry, Tax Collector	500.00
641-A	Sinclair Refining Co.	334.25

642	Philadelphia National Bank, Nat. Off.	15.41
643-A	Philadelphia Electric Co.	6.75
643	Philadelphia Electric Co.	14.15
643-A	Upper Moreland-Hatboro Jt. Sewer Author.	144.15
644	Ditto	6.75
644-A	Philadelphia Electric Co.	171.25
645	Road Machinery, Inc.	10.54
645-A	Wise Distributing Co.	36.00
646	Weber - Florist	6.00
646-A	Sargent-Sowell, Inc.	20.70
647	Accounting Adjustment	
648	Hobensacks Sons	2.80
649	Magee-Hale Park-O-Meter Co.	10.00
650	Borough of Hatboro - General Fund	1,044.60
651	Comm. of Penna. S.S. Contrb. Fund	1,525.76
652	Internal Revenue Service	1,253.00
653	John J. Gintowt	187.50
654	Philadelphia Electric Co.	2,418.00

A motion was made by Mr. Palmer, seconded by Mr. Rudolph and approved by the Council to adjourn, the hour being 11:25 AM.

Thomas A. Mc Clurken
Secretary

October 26, 1959
 Hatboro, Pa.

A special meeting of the Borough Council was held in the Council room on the above date. The purpose of the meeting was to open bids for the construction of an addition to the maintenance building and to conduct any other business brought before Council.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen Balmar, Jones, Platten, Mulier, Rudolph; Burgess Williams, Solicitor Henderson, Superintendent Staudt, Building Inspector Wilke, Police Chief Lindbridge and approximately five residents and three press representatives.

Mr. Platten called for additional bids from the audience. None were presented. The Secretary opened and read the following bids for the construction of an addition to the maintenance building:

	Block Bldg.	Steel Bldg.
Bickhart Steel Product Co.	\$ 6,660.81	\$ 5,705.00
Geo. A. C. Firth	--	4,765.00
Edward M. Happ	4,880.00	--
Cardell Company	8,188.00	8,188.00
Furlong Construction Co.	5,930.00	--

Mr. Platten referred the above bids to Architect Hazzard for review and report later in the meeting.

The Secretary presented a letter from Aiman and Associates including a plan from Harold Kushin for the construction of a grass plot in the turn-around at the end of the private street of the industrial park at County Line and Reading Railroad. The plan was referred to Mr. Rudolph's committee for review and recommendation.

Mr. Platten announced that the Vick Chemical Company, through Mr. Samuel High, Jr., their attorney, wishes to present plans to the Borough covering a development of the property along Warminster Road, south of Byberry Avenue. This action is evidently the result of the resolution adopted several months ago. Mr. Platten advised that the Public Works Committee will meet on November 5, 1959, at which time the plans will be presented and explained.

Dr. Brooks entered the meeting at this time.

The Secretary read a letter from John Smith of Smith Chevrolet Company, north York Road, concerning the condition of the present storm sewer with a recommendation that it be enlarged and piped to the nearest stream. The letter also contained recommended storm water changes for east Montgomery Avenue and north

here direct. The letter was referred to the Highway Committee for review and recommendation. Mr. Haigler pointed out that even though the letter referred to the storm sewer as a Borough storm sewer, it was actually a joint development project with the property owner and Borough contributing to the cost.

The Secretary read the following letter from Chester Winner, containing his resignation as Borough auditor, effective immediately.

Hartsville, Penna.
October 19, 1959.

Members of Council:

Please accept this my resignation as Boro Auditor as I no longer reside in the Boro limits.

Sincerely Yours,

CHESTER WINNER, SR.

A motion was made by Mr. Haigler, seconded by Mr. Palmer and approved by the Council to accept the resignation of Mr. Winner. Nominees for a replacement auditor were requested. The Secretary was directed to contact the other two auditors for possible nominees.

In connection with the construction of curbs on the west side of south York Road an ordinance covering the construction and assessment procedure was presented by Mr. Henderson. Mr. Haigler indicated that the committee had recommended that 100% of the curb cost be assessed to the property owners. Mr. Henderson indicated that in the absence of a petition from the property owners, that only two-thirds of the cost could be assessed. Mr. Platten discussed the ordinance with Mr. Patrick and Mr. Stoutenburgh, residents involved in the curb construction. Mr. Patrick questioned why Borough funds were being spent to aid the flow of Upper Moreland storm water into Hatboro. He suggested that culverts be constructed for each driveway involved instead of constructing curbs. He also suggested that Upper Moreland Township drain their storm water south instead of north. He pointed out that the addition of curbs will add to traffic congestion due to a wider roadway. Mr. Stoutenburgh questioned the grading of the embankments and Mr. Platten advised that proper grading and driveway adjustment are included in the contract. Mr. Stoutenburgh questioned why sidewalks are not included at this time. Mr. Haigler and Mr. Platten discussed the question of sidewalks and indicated that the placement of sidewalks on the east side or west side has not been definitely decided. Mr. Stoutenburgh recommended that a large tree on the Rosenberg property, adjoining his to the north, be removed.

Mr. Shank, 600 South York Road, questioned if the State Highway Department is planning to pay a portion of the construction cost. He also questioned the possibility of street widening to a four lane highway. Mr. Flatten discussed the uncooperative attitude of the State Highway Department in not performing widening and paving work in various places along York Road which have supposedly been included in the State Highway budgets each year since 1937. Mr. Haigler pointed out that the approved roadway width of 44' for York Road makes provision for sidewalks on both sides and allows the use of four traffic lanes. Mr. Patrick questioned what plan of payment will be used for this project. Mr. Flatten pointed out that only two-thirds of the cost will be assessed and that the law requires payment within six months.

Mr. Shank recommended that approval of the ordinance be postponed due to the apparent hasty approach to such a sizeable project. Mr. Flatten pointed out that the project has been under consideration for several months, the contract has been awarded and work is to start on October 27.

A motion was made by Mr. Haigler, seconded by Mr. Palmer and approved by the Council to adopt the following ordinance:

ORDINANCE NO. 331

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT AND CONSTRUCTION OF CURBING ON A PORTION OF THE WEST SIDE OF SOUTH YORK ROAD IN THE BOROUGH OF HATBORO AND FOR THE METHOD OF THE ASSESSMENT OF THE COST THEREOF TO OWNERS OF LANDS ABUTTING THEREON.

Mr. Stephen Hazzard returned to the meeting and advised that the bid of George Firth of \$4765 is the lowest bid but the building for this price does not meet the terms of the Borough building code or the contract specifications. He further recommended that the bid of Edward Happ, in the amount of \$4880 for the construction of a masonry and frame building be accepted.

A motion was made by Mr. Haigler, seconded by Mr. Rudolph and approved by the Council to authorize the president and secretary of Council to execute a contract with Edward Happ for the construction of the addition to the maintenance building in accordance with the specifications at a total price of \$4880.

Mr. Rudolph, presenting an article from a publication from the University of Pennsylvania, which discussed the construction of off-street parking lots vs. Saving Dying Shopping Centers. It was agreed that copies of the article should be forwarded to the following organizations:

Notary
HCCA
Kiwanis

Hatboro Business Men's Asso.
Hatboro Gardens Civic Association

The Secretary read a letter from the Pennypack P.T.A. organization indicating that the organization will collect the necessary information asked for by Council in connection with the construction of sidewalks in the vicinity of the Pennypack School. The letter also indicated that the majority of the members of the P.T.A. favor the construction of sidewalks.

Mr. Haigler reported that the construction of the Borough portion of the Moreland Avenue parking lot on the Berlin property has been completed and that the portion retained by Berlin will be completed shortly. A layout of the parking spaces has been given to the superintendent indicating that 157 cars may be parked on the complete lot.

The Secretary advised that an examination has been scheduled by the Civil Service Commission for November 18, 1959.

Mrs. Brooks, Montgomery Avenue, pointed out that the fee system, as it refers to tax collector's and justices of peace in Pennsylvania, is under great criticism. Mr. Platten pointed out that the Borough portion of the tax collector's compensation is not on a fee basis.

A motion was made by Mr. Palmer, seconded by Mr. Rudolph and approved by the Council to adjourn at 9:22 P.M.

Thomas A. McClellan
Secretary

Hatboro, Pa.
November 9, 1959

The regular meeting of the Borough Council was held in the Municipal Building on the above date.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen Jones, Brooks, Platten, Daigler, Kustoff; Treasurer Gintowt, Building Inspector Wilke, Solicitor Henderson, Engineer Langerty, Burgess Williams, 16 residents and two press representatives.

The invocation was given by Burgess Williams.

The minutes of the Council meetings of October 12 and 26, 1959 were presented for approval. Following corrections, a motion was made by Mr. Brooks, seconded by Mr. Daigler and approved by the Council to accept the minutes as corrected.

The report of the treasurer was given by Mr. Gintowt. He indicated that 95% of the real estate taxes have been received to date. He also advised that the bank balance at October 31, 1959 was \$7,870.67. With the addition of the 30 day treasury bills on hand of \$40,000 there is a balance on November 5 of \$47,867.61. Treasury bills amounting to \$25,000 will be purchased for a thirty day period. A motion was made by Mr. Jones, seconded by Dr. Brooks and approved by the Council to accept the above treasurer's report.

President Platten called for questions from the audience and invited residents present to present any problems pending.

Miss Louise E. Schafer, Executive Director of the Visiting Nurse Association of Eastern Montgomery County, Inc. presented the following report of public health nursing service in the Borough of Hatboro for the year ending May 31, 1959.

REPORT OF PUBLIC HEALTH NURSING SERVICE IN THE
BOROUGH OF HATBORO
For Year Ending May 31, 1959

I. Nursing Care of Individuals (Not considered responsibility of
Borough Department of Health)

Includes all types of non-communicable cases - heart disease, cancer, arthritis, post-operative, etc.

<u>No. of Visits</u>	<u>Cost</u>	<u>Receipts</u>	<u>Net Cost</u>	<u>To be</u>
311	\$1,244.00	\$609.00	\$635.00	pro-
				vided by
				United Fund

Continued

II. PUBLIC HEALTH SERVICES

Includes the following services which are essential to good health of all citizens - 1) prevention of communicable disease and 2) prevention or correction of health problems which may result in citizens becoming dependent on community.

	<u>No. of Visits</u>	<u>Cost</u>	<u>Receipts</u>	<u>Net Cost</u>
Well Baby Clinics	100	\$198.00	\$34.00	\$164.00
Communicable Disease Care	2	8.00	7.00	1.00
Maternal & Child Care	86	344.00	0	344.00
Health Supervision	71	284.00	0	284.00
				<u>\$793.00</u>

Request for 1960 Allocation from Borough of Hatboro - \$793.00

Miss Schaefer advised that there are fourteen graduate nurses employed in performing the nursing service, with one nurse spending almost full time in the Borough of Hatboro. She urged that the financial support from the Borough be increased as this activity is not covered by the Pennsylvania Department of Health. The report was referred to the Public Health and Safety Committee for review and recommendation at the budget meeting.

Burgess Williams administered the oath of office and loyalty oath to Mr. Harvard R. Jones in his new position as Civil Defense Director for the Borough of Hatboro.

Mr. Platten indicated that Mr. Jones had volunteered to serve in the above position as a vacancy in such position might possibly cause the Borough to lose the Federal government's contribution of Matching Funds and the purchase of Civil Defense equipment.

Mr. Rudolph presented the report of the Public Health and Safety Committee; the report of the Police Department for the month of October. He also discussed the condition of two police cars and pointed out that the cost of repairs to the 1958 car amounted to \$197.41 during the month of October. Mr. Jones pointed out that the police chief has records which would indicate repair experience for a two year old car as the 1955 police car was in service for two years. Mr. Rudolph indicated that recommendations are being made in the 1960 Budget for replacement of the cars.

Mr. Rudolph also presented the reports of the Building Inspector; the Plumbing Inspector and the Assistant Health Officer for the month of October. He reported that the rat control program has been successful and that baiting stations have been purchased and placed in locations where complaints about rats have been received.

Mr. Rudolph presented a revised plan from Harold Kushin for the cul-de-sac at the Industrial Park, County Line Road and Reading Railroad. The revision indicated that a grass planted area is planned for the center of the turn-around. A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to approve the revision of the plan with the restriction of parking of vehicles in the turn-around will be prohibited.

Mr. Rudolph reported that an additional "No Left Turn" sign had been installed at the southwest corner of York Road and Lehman Avenue to aid in the enforcement of the turning restriction during busy shopping hours.

Mr. Rudolph indicated that a complaint has been received concerning speeding on Home Road. The committee will investigate the complaint and possibly recommend that lower speed limit signs be installed.

Dr. Brooks reported receiving two complaints concerning the increase of heavy truck traffic on East Moreland Avenue between York Road and Warminster Road. The Public Safety Committee will investigate this item.

Mr. Rudolph indicated that the letter received from Mr. Beebe, Mill Road, concerning commuter parking is being investigated by his committee. The using of a parcel of ground on Warminster Road, immediately north of the Reading Railroad as a commuter parking area, is being considered.

Mrs. Brooks of Chester and Montgomery Avenues, questioned the delay in re-installing the parking meters on Montgomery Avenue west of York Road. It was explained that a new sidewalk is being installed by the telephone company and reinstallation of the meters is being held up until the sidewalk is properly constructed.

The Secretary read a letter from the Eastern Montgomery County Planning Committee, indicating that the traffic count taken several weeks ago, was highly successful. Plans are being made for further meetings in connection with the proposal to synchronize the traffic signals from the Philadelphia City Line to County Line Road.

Mr. Rudolph reported that a letter has been received from the Tidewater Oil Company in connection with the construction of a gasoline filling station at the southwest corner of York Road and Monument Avenue. The letter indicated that the oil company is willing to construct a colonial type building if desired by the Borough. In this connection Dr. Brooks referred to the real estate assessments of the service stations in the Borough and pointed out that none of them are assessed for more than \$20,000. A motion was made by Mr. Jones, seconded by Dr. Brooks, directing that the Secretary write to the real estate assessor and question the low assessments of gasoline stations. Mr. Rudolph questioned why gas stations should be singled out particularly and indicated that such action is to be discriminatory. Mr. Platten recommended

that writing to the assessor be deferred until the property owners of the gasoline stations be given an opportunity to express their opinions before Council. A motion was made by Mr. Platten, seconded by Mr. Haigler, to table action on the above motion until the December regular Council meeting and to notify the property owners of gasoline filling stations concerning the above action. The vote on the motion was: For--Messrs. Platten, Haigler and Rudolph; Against--Messrs. Jones, and Brooks. The motion to table action was declared approved.

Mr. Platten discussed the Financial Report and indicated that with the awarding of a contract for the construction of an addition to the maintenance building, a transfer of funds is necessary. A motion was made by Mr. Platten, seconded by Mr. Haigler and approved by the Council, to adopt the following resolution:

RESOLVED, That the Budget of the Borough for the year 1959, be adjusted by the transfer of an amount of \$2930.00 from Account #131-C, Bonds and Notes Retired, to Account #13-K, Capital Outlay - Construction of Buildings.

RESOLVED, That the Budget of the Borough for the year 1959 be adjusted by the transfer of an amount of \$7070.00 from Account #131-C, Bonds and Notes Retired, to Account #42 - Street Lighting.

Mr. Platten advised that at the Council meeting held on May 11, 1959, a resolution was adopted to adjust the budget for the year 1959 to make an appropriation of \$500 to the Union Library of Hatboro. Since that time legal advice has been given that such appropriations can only be made to free libraries. The Union Library of Hatboro does not qualify as a free library. In accordance with the above advice a motion was made by Mr. Platten, seconded by Mr. Brooks and approved by the Council to rescind the action taken by Council on May 11, 1959 in the adoption of a resolution making the above appropriation.

Mr. Haigler reporting for the Highway Committee advised that the storm drain repairs on York Road and the adjustments to the Culvert under York Road, north of Byberry Avenue, have been completed and the invoice for the work is being approved tonight. The construction of the head wall at the north side of the Lehman Avenue culvert has been completed. Work on the Berlin portion of the Moreland Avenue parking lot is proceeding and completion is now awaiting good weather.

Mr. Haigler reported that a special meeting of the Highway Committee, attended by Councilmen Rudolph, Platten and Haigler, was held at the site of the south York Road curbing job in connection with the removal of trees and grading to be done on the properties. The same members held a special meeting on another date in connection with the addition to the maintenance building.

The foundations have been started and the location of the building moved to within 10' of the rear property line at no additional cost.

Mr. Baigler advised that an estimate has been received from Engineer Haggerty indicating a cost of approximately \$21,000 for engineering services alone to prepare a complete Borough storm sewer plan. This estimate has been received from the engineer tonight and will be reviewed by the Highway Committee for report at the next meeting.

Engineer Haggerty reported that approximately 550' of curbing has been constructed on south York Road to date, the trees are now being removed as required and that the curb work will be resumed when the necessary trees have been removed. Mr. Baigler explained the planned improvement of the storm water piping at the corner of York Road and Crooked Billet Road and indicated that two inlets are being constructed to take the place of the one now existing.

Dr. Brooks reporting for the Public Works Committee advised that a meeting of the committee had been held on November 3, 1959 at which time a representative of the Vick Chemical Company had presented plans for the development of the property owned by them, east of the Reading Railroad, north of Fulmor Avenue. The plans call for the construction of a distribution center of 60,000 square feet with ground to be broken by June 1, 1960 and completion by December 1, 1960. Later plans call for the construction of a second distribution center of the same size. Possible future construction of manufacturing facilities which will bring the total estimated value of the operation to over \$2,000,000.

Dr. Brooks reported that the placing of the electric wires on York Road underground is progressing and that the sidewalk work is expected to be completed by December 15, 1959. The light pole in front of the Wright store will also be relocated as requested by the property owner.

Dr. Brooks presented the Financial Report for the swimming pool for the 1959 season which indicated that 768 persons received instruction in the swimming classes, 48 persons completed life saving courses and 93 swimmers were on the swimming team. The financial report of the pool operation indicated that there were 406 family memberships, 62 adult memberships and 378 children memberships with a total income of \$18,845. Operating expenses, along with bond and interest payments totaled \$18,559.20. After considering the cost of equipment replacement and capital expenditures with a refreshment stand profit of \$177.48, the net operating and improvement loss for the pool season of 1959 amounted to \$196.74.

Dr. Williams advised that Solicitor Henderson has prepared a letter concerning the use of the Loller School building by the Borough. The letter will be considered at the next School Board

meeting. Burgess Williams indicated that he had received encouraging opinions from several members of the School Board.

Dr. Brooks advised that a proposed budget for the pool and park operations for the year 1960 has been prepared and submitted to the Finance Committee. It covers a recommendation that a pavilion be constructed at the park. In reply to a question concerning the status of the outside swimming pool court case, Mr. Henderson advised that it now appears that the case will be listed on the January trial list.

Burgess Williams advised that Walter Brown had been appointed by him as a member of the Shade Tree Commission to serve the unexpired term of Mr. Shawn Jenkinson to 12/31/61, who recently resigned.

Mr. Good of Fulmor Avenue presented a complaint of speeding of automobiles along Fulmor Avenue and asked that the police department give special attention to this problem.

The Secretary advised that the "Honorable Mention" award had been received from the Pennsylvania State University for the Hatboro 1958 Annual Report which had been submitted in a state-wide contest.

The Secretary read the following letters of resignation from Councilmen Palmer and Newcomb.

256 E. County Line
Hatboro, Penna.

November 9, 1959

Borough Council
Borough Hall
Hatboro, Penna.

Gentlemen:

Please accept my resignation from Borough council effective immediately.

Sincerely,

(signed) Rowland M. Newcomb

November 9, 1959

Mr. Peter Platten, Pres.
Borough Council
Borough of Hatboro,
Hatboro, Pa.

Dear Peter:

Please accept my resignation from Borough
Council effective immediately.

(signed) Lane Palmer

A motion was made by Mr. Jones, seconded by Mr. Rudolph to accept the above letters of resignation for Councilmen Palmer and Councilmen Nawcomb. Dr. Brooks recommended that acceptance of the above letters of resignation be deferred until he had the opportunity to talk to one of the resigning members. Mr. Jones and Mr. Rudolph withdrew their motion listed above.

A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to adjourn the Council meeting, the hour being 9:44 P.M.

The following bills were presented by the Secretary and approved by the Council for payment:

<u>Vo.#</u>	<u>Vendor</u>		
655	Delaware Valley Concrete Co.	\$	6.50
656	James Craig		9.46
657	C & C Supply Co. Hatboro		29.43
658	Brooks Paint Store		8.20
659	Jim Baner Ford, Inc.		25.74
660	Amco Corp.		21.91
661	Fiore DeFlavis		980.00
662	Philadelphia Electric Company		16.80
663	Bux-Mont Office Supply Co.		5.63
664	Bell Telephone Co.		122.82
665	Erwin Printing, Inc.		130.50
666	Progress Newspapers, Inc.		11.20
667	David's		10.90
668	Cameron Sanitary Landfill, Inc.		136.00
669	Jim Baner Ford, Inc.		6.50
670	Jim Baner Ford, Inc.		119.26
671	Hatboro Hardware		8.17
672	Grove Supply, Inc.		5.35
673	Eureka Stone Quarry, Inc.		141.30
674	Eureka Stone Quarry, Inc.		124.12
675	Philadelphia Electric Co.		10.00
676	Pine Run Farm Supply Co.		2.85
677	Smith Chevrolet Co.		103.40
678	Martin & Bradley		1.25

685	E. S. McVaugh	37.13
686	Murta Appleton Co.	31.88
687	Meredith's	5.95
688	Markovich Auto Parts	16.29
689	Lou's Sunoco Station	47.30
690	Fred Krauskopf	20.00
691	Keystone Hi-Way Traffic Equip. Co.	292.35
692	The Intelligencer Co.	41.85
693	International City Mgr's Asso.	7.50
694	Lewis W. Jamison	1.10
695	Industrial Products Co.	21.93
696	I. M. Jarrett	13.01
697	Hatboro Borough Authority	4.66
698	Hatboro Borough Authority	272.37
699	Haggerty, Boucher & Hagan, Inc.	138.50
700	Hatboro Borough Authority	574.75
701	Hatboro Concrete Block Co.	3.06
702	Hatboro Concrete Block Co.	20.36
703	Mr. Knox Henderson	125.00
704	Hatboro Office Supply So.	9.54
705	Accounting Adjustment	--
706	J. Alvin Wolverton	22.00
707	J. W. Winder, Jr.	15.20
708	Wise Distributing Co.	28.00
709	Alfred Thornton	15.00
710	Salt Service, Inc.	561.50
711	Sinclair Refining Co.	10.50
712	Sinclair Refining Co.	301.60
713	Panther Oil & Grease Mfg. Co.	53.40
714	Phila. National Bank, Hatboro Office	1,289.00
715	Philadelphia Electric Co.	894.25
716	Taggart's Hardware	25.77

Thomas A. McClurken
Secretary

Hatboro, Pa.
December 7, 1959

A special meeting of the Borough Council was held in the Municipal Building on the above date. The purpose of the meeting was to conduct a public hearing in connection with the application of Meadowbrook Park, Inc., Leonard Polis, President, requesting a change of zoning from Residential A to Residential C for a plot of ground on the north side of Horsham Road at the west Borough Line and to conduct any other business that could come before Council.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen Jones, Brooks, Platten, Haigler, Rudolph; Burgess Williams, Planning Commission member Rosanna Slack, Zoning Board members Chappell and Koehler and approximately 20 residents.

Mr. Platten called attention to the fact that the resignations of Councilmen Palmer and Newcomb had been presented at the previous meeting but action had been deferred on acceptance of the resignations until this meeting. A motion was made by Dr. Brooks, seconded by Mr. Haigler and approved by the Council to accept the resignations of Rowland M. Newcomb and Lane Palmer as councilmen. Mr. Platten issued a call to the councilmen for nominations for successors to the above resigning councilmen.

A motion was made by Mr. Platten, seconded by Mr. Haigler, to nominate Mr. Roger Hillas, 159 Spring Avenue, to the position of councilman to serve the unexpired term of Mr. Lane Palmer, to expire December 1961. Mr. Rudolph commented on his position of voting for a nominee of the opposing political party. He pointed out that he had personally interviewed both Mr. Hillas and the successor to be appointed for Mr. Newcomb's term and had found both nominees qualified for the positions. He also indicated that he had no nominees of his own party and therefore would vote for the nominees to be made.

A motion was made by Mr. Haigler, seconded by Mr. Platten, to close nominations for the position of councilmen as successor to Mr. Palmer. The vote on the motion was: In favor--Messrs. Brooks, Platten, Haigler, Rudolph. Mr. Jones abstained from voting on the motion. He explained that he had not been advised that appointments were to be made for the vacancies in the council positions.

A motion was made by Mr. Haigler, seconded by Mr. Platten and approved by the Council, to adopt the following resolution:

WHEREAS, a vacancy exists in the office of councilman due to the resignation of Lane M. Palmer

continued

NOW, THEREFORE BE IT RESOLVED, That Roger S. Hillas a qualified resident of the Borough, be and he is hereby appointed councilman of the Borough of Hatboro to serve for the unexpired term of the former councilman to December 31, 1961.

A motion was made by Dr. Brooks, seconded by Mr. Haigler and approved by the Council to adopt the following resolution:

WHEREAS, a vacancy exists in the office of councilman due to the resignation of Rowland Newcomb,

NOW, THEREFORE BE IT RESOLVED, That Howard Mosetter, a qualified resident of the Borough, be and he is hereby appointed councilman of the Borough of Hatboro, to serve for the unexpired term of the former councilman to December 31, 1961.

Noting that Mr. Mosetter was present in the meeting, the oath of office and the loyalty oath was administered by Burgess Williams and Mr. Mosetter was seated as a councilman.

The Secretary read the application of Meadowbrook Park, Inc. Leonard Polis, President, requesting a change in the zoning classification of a parcel of ground on the north side of Horsham Road at the west Borough line from Residential A to Residential C. The notice was advertised on November 20 and December 3, 1959. Mr. Platten commented on the request for the change of zoning and pointed out that neither an exception nor variance is being requested but a change in zoning classification which would permit construction of the proposed twenty-four family unit apartment dwelling.

Mr. Polis, the applicant, discussed the type of building to be constructed and pointed out that it will be similar to those presently constructed on the adjoining property in Upper Moreland Township. The building will have twenty-four one bedroom apartments and no children will be permitted to reside in the building. He further advised that the usual borough services for garbage and trash removal will not be required. In response to a question concerning off-street parking, Mr. Polis presented a plan indicating that 56 parking spaces are being provided for the combination of the proposed apartment building of twenty-four family units and the presently adjoining existing unit of sixteen family units. A question was raised concerning the square foot area of the parcel of ground. Mr. Platten indicated that the borough engineer will be asked to check the computation of the square foot area as it appears that the deed description reads to the center line of Horsham Road which might result in the one-half of Horsham Road being included in the square foot area computation. Mr. Platten questioned concerning provisions

for storm drainage as the existing storm drain for the low point in Horsham Road runs through the approximate center of the proposed building.

At this point in the meeting Mr. Roger Hillas arrived in the council room and the oath of office and the loyalty oath was administered by Burgess Williams to Mr. Hillas and Mr. Hillas was installed as a councilman.

In connection with the Meadowbrook Park application, Mr. Platten discussed the plan which indicated the ground levels. Mr. Polis explained that the level of the first floor was 202', finished grade outside 199' and the creek level 187'. Mr. Polis also explained that there is a basement only under the center section of the building which contains locker rooms and heaters. Mr. Polis also reported that in the other five apartment houses no water has been encountered in the basement rooms to date. The elevation of Horsham Road, according to the new plans, was also indicated as 201'.

Mr. Polis referred to the possible tax income to the Borough from the proposed apartment house and indicated that the Borough would receive the benefit of such taxation. Dr. Brooks discussed the real estate tax assessment of the Eleanor Court Apartment previously constructed by Mr. Polis. He also quoted the tax income from the other apartment houses at York Road and Madison Avenue. Mr. Polis further pointed out that the tax income would be of advantage to the Borough and School Board as there will be no children allowed in the proposed apartment house. In connection with the question as to whether children would live in the apartment house, Mr. Platten asked if Mr. Polis would be willing to make it a condition of the lease that the lease would not be renewed if children are residing in the apartment. Mr. Polis agreed that such a requirement could be made a condition of the granting of the building permit for the building.

Mr. Platten raised the question concerning the installation of sidewalks and curbs along the Horsham Road frontage of the property in question. Mr. Polis indicated that he did not prefer at this time to install curbs and sidewalks due to the added expense and to the fact that curbs and sidewalks have not been constructed in front of any properties along Horsham Road.

Mr. Platten indicated that a standard clause is included in all building permits issued which indicates that sidewalks and curbs may be required any time by the Council. If such a clause were included in his building permit, Mr. Platten asked if Mr. Polis would attempt to avoid such a requirement. Mr. Darlington, attorney for Mr. Polis, indicated that Mr. Polis would be willing to construct the curbs and sidewalks when the Horsham Road project is undertaken. Dr. Brooks pointed out that in the absence of a petition from 51% of the property owners on Horsham Road, only 2/3's of the cost of the construction of curbs and sidewalks could be assessed to the property owner. In this connection

Mr. Platten recommended that a signed petition be received from Mr. Polis requesting that curbs and sidewalks be constructed by the Borough. The proposed action of the Hatboro School Board constructing sidewalks east of the Robert Bruce property, was reviewed and Mr. Platten asked if Mr. Polis would at that time construct curbs and sidewalks and agreed to do so at his cost and expense.

At this point Mr. Platten summarized the discussion by indicating that the open and unexplained items at this point are:

- 1- The total lot area computation
- 2- The size of the storm sewer pipe to go under or around the proposed building
- 3- The construction of curbs and sidewalks

The Secretary read a letter from the Planning Commission of December 5, 1959, indicating that the proposed zoning change was reviewed by the Planning Commission. The Planning Commission has indicated that the application be denied for the following reasons:

- 1- It would represent "spot zoning" within the Borough
- 2- The claim that such a construction would enhance the beauty of the area is questionable as the present appearance is good and leaves little room for improvement
- 3- The claim that substantial tax revenue without furnishing services or increasing school population may not prove to be true for the claim that facilities would only be available for elderly couples and couples without children is not binding as there is no guarantee that only such tenants will occupy the premises
- 4- To re-classify an area in a corner of the Borough to conform to zoning outside the Borough without self-defined benefits to surrounding area in the Borough is not a wise procedure
- 5- According to the 1959 Tax Duplicate there is a question concerning the total lot area which for 24 family units must be at least 72,000 square feet

Following the reading of the letter from the Planning Commission, it was indicated that Mr. Polis did not have the opportunity of meeting with the Planning Commission when his application was being considered.

Mr. Jones discussed in detail the items listed above in the letter from the Planning Commission and indicated that the majority of the questions or objections had been answered at this meeting. Miss Rosanna Slack, Secretary of the Planning Commission, indicated that even with the questions and objections answered or removed she believed that the Planning Commission did not favor the change in zoning as the change did not conform to the comprehensive zoning plan for development of the Borough. Mr. Jones recommended that definite action on the petition be deferred until the Planning Commission has an opportunity to reconsider their opinion and furnish the Borough Council with another recommendation.

Mr. Platten called for testimony from residents present at the hearing who are opposed to the zoning change.

Mrs. Lillian O'Shea, 321 Horsham Road, who resides immediately across the street from the proposed development, expressed her opinion in favor of retaining the Residential A status of the property as there is sufficient Residential C property in the Borough that is not developed to date. She also expressed doubt that additional apartment house units are needed in the Borough. She also cited the potential drainage problem and sees great danger from flooding from the Pennypack Creek.

Mr. John Kix, 60 Horsham Road, questioned what the rent would be for the apartment units. This fact was not known and Mr. Kix also objected to the year to year leases and the erection of a low rental project. Dr. Brooks questioned what Mr. Kix considered a low rent. On being advised that the rental would be \$87.50 per month Mr. Kix indicated that he did not consider this to be a low rent project.

Mr. Charles Koehler, 309 Horsham Road, directly opposite the proposed building indicated his objection to granting the change in zoning and cited the following reasons:

- 1- He objected to "spot zoning"
- 2- He pointed out that this represented "down zoning" from Residential A to Residential C
- 3- He pointed out that there is already sufficient Residential C ground available in the Borough which is undeveloped.
- 4- He favors the retaining of the present zoning as Residential A
- 5- The danger of flooding from the adjoining Pennypack Creek, which he has witnessed during the past 15 years, sometimes to the point of flooding Horsham Road

- 6- His future plans for the development of his property would be adversely affected by having an apartment house across the street
- 7- He favors the following of the recommendation of the Planning Commission

Mr. Polis commented on the improvements that have been effected in the stream flow and pointed out that the stream has been straightened and widened and that a new bridge has been installed since the last flood in 1955.

Mr. Heacock questioned if the new building would be assessed in Hatboro. The Secretary advised that the vacant parcel of ground under consideration is presently listed in the 1959 tax duplicate.

Mr. Trent, 225 Horsham Road, objected to the granting of the zoning change and questioned if the zoning change were made, could the property be used for residential homes as well as an apartment house. Mr. Platten advised that Residential C zoning permits either apartment house or the erection of single or double family type dwellings.

Mr. Craggs, 415 Moreboro Road, objected to the granting of the zoning change and pointed out that when he purchased his property the zoning was classed "AA" Residential. He also pointed out that many of the residents in the adjoining Robert Bruce apartments objected to the adding of another building to the premises. He also indicated that numerous complaints concerning rats have been received from present residents. Mr. Craggs also pointed out the added traffic hazard resulting from the driveway for the apartment houses exiting on Horsham Road.

Mr. Widmeier, 36 Horsham Road, objected to the granting of the zoning change as he cited the flooding hazard from the Penny-pack Creek. He also cited the construction of this apartment house would create a need for the construction of sidewalks along the north side of Horsham Road to York Road and such action would involve his property. Mr. Widmeier also questioned the set-back of 35' and stated that his home has a set-back of 40'. Mr. Haigler advised that the new street plans with proper set-back lines were adopted many months ago and any plans for construction would have to conform with the 35' set-back line computed with the new street line. Mr. Haigler also recommended that there appears to be a conflict between the elevation shown on the Horsham Road street plans and the developer's plans. The engineer will be asked to clarify these figures with the developer's engineer.

Mr. Frey, 48 Horsham Road, questioned if the building were permitted to be constructed, will it overtax the water and sewer lines now existing in Horsham Road. Mr. Haigler pointed out that

the sewer line is adequate to take care of the building. Mr. Polis indicated that a new water line and a new well has been constructed at the rear of his property and that he has just completed a proposition with the water authority for such work.

Mrs. O'Shea presented an objection to the construction of a building over 160' in length and invited councilmen to sit in her living room and consider the sight of a building 160' in length across the street from her house.

Mr. Chappell of 29 Horsham Road, chairman of the Zoning Board, questioned concerning the computing of the square foot area of the lot as compared to the required area for 24 family units to be constructed. In this connection Mr. Polis agreed to reduce the total number of the apartment units to agree with the ground available.

At this point Mr. Platten declared the hearing concluded and directed that Mr. Polis should contact the borough engineer to clear up the questions left unanswered as to total square foot lot area, the solving of the storm drainage problem and the installation of curbs and sidewalks on the Horsham Road frontage. Mr. Platten further pointed out that the next meeting of Council would be held on December 14, 1959 and that if all of the questions above have been cleared it is possible that Council could reach a decision on the application for the zoning change.

Mr. Haigler, chairman of the Highway Committee, announced that there would be a meeting of the Highway Committee in the Council Room on Saturday morning, December 12, 1959, at 9 A.M. He pointed out that matters to be discussed would be a progress report on the south York Road curbing installation, a further discussion of the completion of the Moreland Avenue parking lot, consideration of drainage complaints and further discussion of the correcting of hazardous sidewalks on York Road. Further discussion will also be conducted on the subdivision plans of William Benner and Christian Benner for approval of plans for Jefferson Avenue and Byberry Road projects.

Mr. Platten at this point called on Mr. Samuel Gamburg to address the Council and to present the new plan of development for the Lucy Barnes-Garner property. Mr. Platten also announced that the Garner-Lucy Barnes development project has been transferred from the Public Works Committee to the Finance Committee. Mr. Gamburg stated that the proposition of the Business Men is that the business men will purchase the inside portion of the Garner property and in cooperation with Mr. Irving Hoffman and Mr. O. Watson will pave the Garner property, light and drain the property, will install the parking lines and will provide ingress and egress from Penn Street and ingress and egress from York Road and the completed project will be turned over to the Borough free and clear to be operated as a free municipal parking lot. Included in the proposal is the installation of

storm drainage lines within the confines of the Garner property and Irving Hoffman property to carry the storm water which enters the property along with the run-off from the property itself to the southwest corner of the property where it now flows under the stores and under York Road. If the capacity of the drainage structure under York Road is not sufficient to carry the future water flow, the Borough is to provide the necessary drainage improvements to carry off all storm water from that point, southward to the stream. It may be that the present storm drainage structure under York Road is of sufficient size to take care of all the storm water, in which event the complete package of a completed parking lot is turned over to the Borough at no cost to the Borough.

Mr. Gamburg further stated that he knows of other stores along the York Road commercial area that plan to improve their store facilities by at least \$500,000 cost if this development is approved and becomes a reality.

At this point Mr. Gamburg presented the following letter which was read to the meeting by the Secretary.

NEWMAN & MASTER

December 7, 1959

Mr. Samuel J. Gamburg
Chairman, Hatboro Businessmen
Hatboro, Penna.

Dear Sir:

Confirming our conversation, I beg to advise you that my clients, the owners of the Garner Tract, and Mr. Hoffman, the owner of the abutting land, have received estimates for engineering the Garner site and the remainder of the tract to be contributed for the purposes of parking from Mr. Hoffman and Mr. Watson.

This engineering is intended to cover, among other things, the plans of and the anticipated cost of, all surface water removal originating within the tract and to the point of the external lines of the tract. This includes the disposal of the present waters flowing into the tract through the conduit already installed. Before undertaking the engineering costs, however, they must be assured that if by reason of this engineering and the completion of the work to be done thereunder, the Borough of Hatboro will make all arrangements for further distribution of all storm drainage from the end of the Garner Tract to such installations, prepared by the Borough for the further removal thereof, both as to engineering and any other costs involved.

This undertaking of the Township, of course, is condi-

Continued

tioned upon a firm agreement to contribute the lands heretofore discussed and including the Garner Tract without the Penn Street frontage and the York Road frontage, and the contributed lands of Hoffman and Watson.

It is understood, of course, that the reservation of the Penn Street frontage will leave sufficient ground for ingress and egress from Penn Street to the parking area. We understand, too, that Mr. Watson has agreed to allow the 10 ft. 6 in. right of way abutting his property, to be used, with a like contribution from Mr. Hoffman for ingress and egress to York Road.

It is intended by this Memorandum merely to provide that if my clients and Mr. Hoffman and Mr. Watson are prepared to convey the parking area as defined and the access roads to the Township, properly graded, surfaced and lighted, and drained as to surface drainage to the point indicated, and there picked up by the Borough, then and in such event, the Borough will utilize the property thereafter for and only for available free parking for the benefit of the business of the Borough, at the Borough's own expense, and will, in addition, make available the drainage facilities to be done by the Borough, as hereinbefore set out.

This is a generalization of the purposes merely, and if the matter is acceptable in principle to all parties, then I am sure that specific details can be worked out before the matter is closed.

I propose promptly after advices from you that the matter has been discussed and agreed to substantially by the Borough Council to submit the whole proposition to clients for their consideration, and if all parties agree, we can have a very prompt closing and, therefore, I must ask that we have your advices not later than ten days from the date hereof.

Very truly yours,

PHILIP F. NEWMAN
NEWMAN & MASTER

PEN:J

Mr. Platten expressed the opinion that the above letter indicates that if the Borough Council will take the first step by indicating their agreement in principal to the above proposal, then Newman & Master will approach the various owners of the properties involved preparatory to drawing up an agreement to cover the development as indicated. He also stated that the letter does not specifically indicate that either Mr. Hoffman or Mr. Watson have agreed to go along with the proposal. Mr. Gamburg indicated that an agreement in principal by the Borough to the proposal listed above would enable the property owners and the business men to

have an engineering survey performed which would indicate the approximate total cost of the project. When this figure is available it can be determined by the property owners and developers whether the proposed development is feasible. The developers are concerned primarily with the development of the property alone and do not want to be involved in the disposal of the storm water under York Road.

Mr. Platten questioned the status of the proposed parking lot to be constructed at the rear of the new post office building to be built at the Rothwell property, north of Moreland Avenue. Mr. Gamburg explained that the post office parking lot is in no way connected with the development of the Garner property but assured the council that the post office parking lot is a project of the business men and will be handled separately. He also indicated that the contributions of the business men for the post office parking lot have been included in the \$100,000 figure they refer to. It was agreed by Mr. Platten and Mr. Gamburg, that the post office parking lot proposal had not been presented to and approved by Council.

Mr. Haigler questioned if the work, as to surfacing and drainage, would be performed in accordance with Borough specifications to which Mr. Gamburg assured that Borough specifications would be used in all of the work.

Burgess Williams questioned concerning the use of part of the parking lot area as a commuter parking lot and Mr. Gamburg stated that commuter parking was not included in this proposal as all of the parking is needed for additional commercial development. Burgess Williams also questioned concerning the Borough requiring developers of properties bordering on the Garner property in the future, whether they should be required to comply with the Zoning Code parking requirements. Mr. Gamburg indicated that no decision has been made on this point to date, but he hoped that those properties having short depth along Byberry Avenue would be given zoning exceptions to relieve the parking requirements.

Mr. Rudolph questioned what the advantage would be to having the Borough owning and operating the parking lot and pointed out that the Borough would lose tax income from that portion of the ground. Mr. Gamburg cited the fact that the portion of ground to be given to the Borough with all of the improvements as a completed parking lot, would be valued at approximately \$200,000.

Mr. Heacock pointed out that the Borough urgently needs additional off-street parking and recommended that the borough own and operate the parking lot. He cited Jenkintown as an example of a former retail center in which many retail concerns have moved out due to the lack of off-street parking. He also expressed the opinion that additional revenue from the future development of the bordering properties around the proposed parking lot would more than off-set any loss of tax revenue resulting from the borough owning the parking lot. Mr. Platten questioned why the bor-

ough should own the parking lot and therefore remove it from the taxable roll. Mr. Gamburg expressed the opinion that the complete proposed package deal might be cancelled if the borough refused to own and operate the parking lot. He also pointed out that if the parking lot were owned by any one store it would be possible that they would fence it in for use by the patrons of that store only, in which case the parking lot would be of no advantage in encouraging future development of the presently undeveloped retail properties. He also pointed out that a private concern operating the parking lot did not have the proper police power to properly regulate parking. Mr. Gamburg further expressed the opinion that there is a possibility that some of the business enterprises presently located in Hatboro might decide to move to a new area where sufficient off-street parking is available. This would result in a loss of tax income to the borough.

Dr. Brooks cited the investing by the borough of approximately \$24,000 in the purchase of ground and the development and completion of the Moreland Avenue parking lot which has not to date, nor is expected to encourage, any new development or tax gain. Mr. Gamburg stated that after the completion of the proposed parking lot the possible increase of real estate assessed valuation by approximately 10% of the present \$900,000 assessed valuation of the properties adjacent to the proposed parking lot would go a long way to offset any possible loss in tax income from removing the parking lot from the taxable list. Mr. Heacock pointed out that many of the properties on the east side of York Road, between Moreland Avenue and Byberry Avenue, do not have sufficient ground available to provide off-street parking. He pointed out that the development of the proposed lot would remedy this situation. Miss Chianta questioned the receiving of approval from the State Highway Department for an entrance and exit on York Road. Mr. Platten pointed out that the establishment of such an exit and entrance would be subject to State Highway Department approval. He also stated that after the lot has been developed it may be necessary for additional entrances and exits to be constructed to Moreland Avenue and Byberry Avenue.

There followed a discussion in which it was pointed out that the total number of cars to be parked on the proposed parking lot has not been determined to date nor has the maximum rain run-off been determined. Due to the lack of the above information it is therefore difficult to determine the amount of the possible borough expenditure to take care of the storm drainage on York Road. It was agreed that Engineer Haggerty would compute the rain run-off and also estimate the cost of installing additional storm drainage facilities to take care of the maximum run-off. Mr. Haggerty will also compute the approximate total number of car spaces available, using a western boundary to the parking lot of approximately 225' from York Road and eastern boundary of approximately 200' from Penn Street.

A motion was made by Mr. Haigler, seconded by Dr. Brooks and approved by the Council, to adjourn the meeting, the hour being 11:17 P.M.

Thomas A. Mc Cluer

Hatboro, Pa.
December 14, 1959

The regular meeting of the Borough Council of the Borough of Hatboro was held in the Council room on the above date.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen Mosetter, Jones, Platten, Haigler, Rudolph, Hillas, Brooks; Burgess Williams, Treasurer Gintowt, Solicitor Henderson, Engineer Haggerty, Building Inspector Wilcke, Chief of Police Dudbridge, Borough Superintendent Stauch, 2 press representatives and approximately 17 residents.

The invocation was given by Burgess Williams.

The minutes of the Council meeting of November 9, 1959, were reviewed. A motion was made by Dr. Brooks, seconded by Mr. Rudolph and approved by the council to approve the minutes as submitted.

Mr. Rudolph reporting for the Public Health and Safety Committee, presented the reports of the Police Department activity for the month of November, the reports of the Assistant Health Officer, Building Inspector and Plumbing Inspector.

Mr. Rudolph discussed the need for "No Parking" restrictions on the east side of Orchard Avenue between Fairview and Franklin Avenues due to the construction of the new entrance and exits to the Moreland Avenue Parking lot. The proposed ordinance to cover the above parking regulation was read by the Secretary. A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to adopt the following ordinance:

ORDINANCE NO. 332

AN ORDINANCE AMENDING THE ORDINANCE REGULATING
TRAFFIC IN, AND CERTAIN USES OF THE HIGHWAYS OF THE BOR-
OUGH OF HATBORO, ADOPTED FEBRUARY 6, 1950.

Mr. Rudolph in discussing the proposed over-all traffic survey of the Borough advised that Mr. Platten had contacted Mr. Obermeyer, Deputy Commissioner of Traffic for the City of Philadelphia, to ascertain the approximate cost of a traffic survey for the borough. Mr. Murray, an assistant to Mr. Obermeyer, has already contacted the borough Secretary and has been furnished with all available traffic information. He will review these facts and in the very near future quote a price for conducting a traffic survey for Hatboro.

Mr. Rudolph advised that complaints have been received concerning the increase of heavy truck traffic on East Moreland and East Montgomery Avenue, between Jacksonville Road and Warminster Road. In this connection a motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by Council to adopt the follow-

ing resolution forbidding trucks to use the above streets except for local deliveries:

RESOLVED, That all trucks, except those making local deliveries, be forbidden to use East Moreland and East Montgomery Avenue, between Jacksonville Road and Warminster Road.

Mr. Rudolph discussed the proposal that a "Right Turn" green arrow be installed on the traffic signal at York Road and Byberry Avenue to permit north bound traffic to make a right turn east on Byberry Avenue. He reviewed a letter received from the Pennsylvania Department of Highways, which gave various reasons why the installation of such a green arrow would not be advisable, although the letter did not indicate that our request had been denied. In accordance with the recommendation of the committee, the council agreed that a formal application should be placed with the Highway Department requesting that the above mentioned green arrow be installed on the traffic signal along with an appropriate sign indicating that turning motorists must yield the right-of-way to crossing pedestrians.

Mr. Rudolph discussed the proposal for the Borough Council to use the Loller School building as a community building. He reported that several councilmen intend to attend a meeting of the School Board to be held on December 21 in this connection. Burgess Williams reported that letters have been sent by the Junior Chamber of Commerce, Crooked Billet Women's Club and the Neighbors, to the School Board urging that the Loller School building be converted to a community building. Burgess Williams further reported that he had written a letter to the School Board which had been received at their November meeting and referred to committee for action at the December meeting.

Mr. Rudolph reported that Mr. Robert Berlin and Mr. Samuel Gamburg had met with the Public Safety Committee to urge the discontinuance of the practice of bagging every third meter in the shopping district on Friday evenings. The committee discussed the procedure with the business men and decided that the practice would continue until further notice. The purpose of such a plan is to allow easier entering and leaving of parking spaces without requiring motorists to back into the "through" traffic lane on York Road.

Mr. Rudolph advised that beginning December 11, 1959, 10¢ courtesy overtime parking tickets are being issued by the Police Department with the provision that they be paid at the Borough office within one hour. The use of these tickets will continue until December 24. This procedure is in accordance with the precedent established several years ago.

Mr. Rudolph discussed a proposal to abolish the two existing taxicab stands presently operating in front of the Woolworth store

and Taggart's Hardware store. The Secretary was directed to contact the taxicab companies in order that they may have an opportunity to appear before Council to present their comments.

Mr. Rudolph discussed complaints received concerning the condition of the Ivycrest Dairy barn at Springdale and Summit Avenues. The complaints indicate that previously boarded up windows and doors have been broken open and the building again represents a hazard and an attraction to children. The Secretary was directed to contact the owner and arrange to have the building closed up or the Council will consider taking action to condemn and remove the structure.

Mr. Rudolph reported that the new portable oxygen equipment now being carried in the two police cars has been demonstrated as to proper use and application by Mr. Don Kiel and Mr. Frank Frey of the Second Alarmers Association of Willow Grove. All police officers have received instruction in the proper handling of this equipment.

Mr. Haigler reported that the Highway Committee had met on December 12, 1959 with Messrs. Haigler, Hillas, Rudolph, Platten and Stauch, McClurken attending.

Mr. Haigler reported that the Highway Committee recommends the approval of a payment in the amount of \$2663.77 to Harris Gramm, Inc. as payment for work completed to date on the curbing installation on York Road at Crooked Billet Road. This amount has been reviewed and certified by Engineer Haggerty. A motion was made by Mr. Haigler, seconded by Mr. Rudolph and approved by the Council to authorize the above payment.

Mr. Haigler reported that the Highway Committee recommends payment of an invoice received from Engineer Haggerty in the amount of \$1431.60 to cover engineering services to date for the curbing project on south York Road at Crooked Billet Road. A motion was made by Mr. Haigler, seconded by Mr. Rudolph and approved by the council to approve payment of the above item.

Mr. Haigler reported that his committee has authorized the purchase of a small quantity of luminous paint to be used experimentally on the parking meter bags and at the curb entrances on the parking lots.

Mr. Haigler discussed the lighting of the Moreland Avenue parking lot. His committee recommends that a longer bracket be installed on the present parking lot light and that the fixture be tilted to throw more light on the parking lot. The committee also recommends that a second street light, a 20,000 lumen mercury vapor fixture with a three way reflector, be installed at the Moreland Avenue entrance of the parking lot. Temporarily a four-way fixture will be accepted until the three-way fixture can be approved. Installation of a 6,000 lumen incandescent fixture on

Orchard Street, at the entrance to the parking lot, is also recommended by the committee. There being no objections or suggestions from council the above street lighting installations were approved. The Secretary is to contact the Philadelphia Electric Company in order that this work may be done.

Mr. Haigler discussed the construction of a second entrance to the Moreland Avenue parking lot and the western end of the lot. In order that this entrance may be constructed it is necessary that the gas, electric and fire hydrant installations be moved to new locations. The Secretary was directed to contact the utility companies to advise them of our plans and urge that changes be made so that the second entrance can be constructed.

Treasurer Gintowt reported that the cash balance at November 30, 1959, was \$9,370.42. Receipts to date including \$25,000 from the sale of treasury bills or \$33,201.62 with real estate tax income and other income amounting to \$7,267.40. After paying the invoices presented for payment tonight totaling \$21,847.02 it is expected that the bank balance will be approximately \$13,725.06. Projecting income and expenses to the end of the year it is estimated that the closing balance will be approximately \$16,000 or \$17,000. A motion was made by Mr. Haigler, seconded by Mr. Mosetter and approved by the Council to accept the report of the treasurer.

Mr. Platten reported that the Finance Committee will call a meeting of the Council before the end of the year to adjust the 1959 budget figures. A rough draft of the 1960 budget has been prepared by Mr. Platten and will be distributed to council members shortly.

Engineer Haggerty reported that the curbing project on York Road and Crooked Billet Road is approximately 75% completed to date. The grading behind the curb is to be done.

Solicitor Henderson reported that a letter has been received by him from the attorney for the Hatboro Borough Authority indicating that the lease for the park has expired. Mr. Henderson suggested that a new lease be drawn up on the same terms as the old lease. Mr. Platten indicated that if there are no objections the solicitor will prepare the lease and submit it to the president, secretary and burgess for signing.

Burgess Williams advised that the FBI is conducting a course at the Whitemarsh Township building from January 18 to January 21, for police officers on the subject of "Sex and Juvenile Crimes". The Chief will attend and council agreed that the Borough would reimburse the chief for any expenses involved in traveling to the school.

Mr. Platten presented a request from the Sewer Authority for the approval of the connecting to the sewer for the Laundromat on

the north side of County Line Road, east of Jacksonville Road. Mr. Platten pointed out that the agreement calls for the payment of \$200 for the capital investment fund paid over a five year period. However, it was noted that the interest factor has not been included in the agreement. The Secretary was directed to contact the Sewer Authority and obtain a revised agreement including the interest feature to be presented for approval at the council meeting to be held on December 17.

Mr. Platten read a letter from Roger Hillas indicating his resignation as a member of the Police Pension Committee. A motion was made by Mr. Haigler, seconded by Dr. Brooks, and approved by the Council to accept the above resignation effective December 14, 1959.

Mr. Platten presented a letter from the Hatboro School Board which was read by the Secretary, dated November 9, concerning the construction of sidewalks in the vicinity of the elementary schools. The letter indicated that the School Board agreed on the location of the sidewalks in accordance with a plan previously drawn up. It also pointed out that the ordaining and construction of the sidewalks is a privilege of council. Mr. Platten pointed out that the chairman of the committee had withdrawn the plan for the location of the sidewalks when the proposal for such a construction was referred to the School Board. Mr. Platten recommended that in view of the reply received from the School Board it appears that the matter is now closed. As far as the sidewalks in the vicinity of the Pennypack School are concerned it was pointed out that the Pennypack P.T.A. may carry on the request for that area.

Mr. Haigler referred to a letter received from the School Board dated December 10, 1959, concerning the construction of sidewalks on Horsham Road at the school foot bridge. He pointed out that in response to the request received from the School Board in which grades were requested, the Borough had proceeded with engineering plans, established the grades and furnished copies of the plan to the School Board. The letter now indicated that the School Board will await the rebuilding of Horsham Road by the Borough and be assessed along with the other properties involved.

The Secretary read a letter from the Hatboro School Board containing a request for the adoption of an ordinance and the installation of "No Parking" signs on the west side of Academy Road opposite the school driveway. The request was referred to the Public Health and Safety Committee for review and recommendation.

The Secretary advised that a copy of the 1960 Budget for the Upper Moreland-Hatboro Joint Sewer Authority had been received. Copies will be distributed to all councilmen.

The Secretary reported that the Annual Auditors' Report for the Upper Moreland-Hatboro Joint Sewer Authority had been received and is available for review. Council directed that additional copies be prepared and distributed to all councilmen.

Mr. Platten reviewed the application of Meadowbrook Park, Inc. Leonard Polis, President, for a change in zoning of a parcel of ground on the north side of Horsham Road at the west borough line. Engineer Haggerty reported that he had reviewed the computation of the area of the parcel of ground and found it to be 76,404 sq. ft. computing to the center line of Horsham Road, 69,076 sq. ft. to the old side line of Horsham Road and 66,480 sq. ft. to the newly ordained sideline of Horsham Road. It was further indicated that the new lines for Horsham Road were ordained several months ago but that the ground has not been taken nor dedicated to the borough. Engineer Haggerty also reported that the new location of storm sewer has been plotted around the proposed building.

Mr. Polis indicated that there are conflicting title lines on various deeds along Horsham Road and pointed out that the definite establishment of the street line and borough lines is very difficult to determine. Mr. Platten pointed out that if the zoning classification is changed to Residential C the question of sufficient lot area is a problem to be considered by the Zoning Board of Adjustment. Mr. Polis, in discussing the location of a storm sewer construction, advised that the location as recommended by Mr. Haggerty meets with his approval as to size of pipe and type of construction. Dr. Brooks presented a recommendation that the planting of trees along the Horsham Road frontage of the building be done to conceal or break up the 176' long building. Mr. Polis agreed to plant trees and shrubs in the above connection. Burgess Williams recommended that a requirement be included in the agreement that sidewalks and curbs be required. Mr. Platten indicated that at the time the plan is approved by the Council a notation will be made on the plan that the owner will be required to construct curbs and sidewalks at the property owner's cost when Horsham Road is rebuilt. He also added that the storm sewer will be constructed in accordance with the plan submitted and that the necessary ground along the north side of Horsham Road will be dedicated to allow the proper curve of Horsham Road. Mr. Polis agreed to these conditions but pointed out that he thought it only fair that the computation of the actual square foot area of the ground be made to the existing street line as at this date the dedication has not been made to the borough. Mr. Platten and Mr. Henderson agreed that all of the items discussed previously should be included in a separate agreement which will be tied in with the change of zoning and that the ordinance would merely include a revision of the zoning map to show the change of zoning classification. Mr. Platten discussed the completion time for the construction and recommended that a six months time be incorporated as a limit. Mr. Polis indicated that eight or nine months would be more favorable and suggested a date of October 1, 1960.

Mr. Platten summarized the items of agreement as being the construction of curbs and sidewalks when Horsham Road is completed; the planting of trees along the front of the building, installation of the storm drainage system as indicated by the

plan, dedication of the necessary portion of Mr. Polis' property to agree with the rounding of the curve of Horsham Road without penalty for loss of lot area in computing the number of apartment units, and completion of the project within nine months of the enactment of the ordinance.

Mr. Jones questioned the opinions of the Planning Commission received in their letter of December 5 and asked if the Planning Commission had met to reconsider their opinions. The Secretary advised that he had heard of no meeting of the Planning Commission.

Mrs. O'Shea asked for a roll call of those residents present for their opinion of the zoning change.

Mr. David Shubin, 149 Crooked Billet Road, expressed his objections to the zoning change as he pointed out that the building is merely being built for a profit for the builder. He also expressed objection to the length of the building and recommended that a cash contribution be made in the amount of \$2,000 for each apartment to help contribute to the cost of educating the children.

Mrs. Edward Lavish, 323 Lancaster Avenue, presented her objection due to "spot" zoning.

Mrs. John Pandosh, 64 Horsham Road, objected to the zoning change.

Mr. Thomas Tesno, 52 Horsham Road; Mr. S. Juhasz, 56 Horsham Road; Mr. Charles Webster, 428 Moreboro Road; Mr. Harry Pfeil, 34 Rorer Avenue; all expressed their objections to the zoning change.

Mr. John Koehler, representing Mr. and Mrs. Eby, 329 Horsham Road, objected to the zoning change. Mr. Charles Koehler, 309 Horsham Road and Mr. Charles Neubeck, 45 Horsham Road, also objected to the zoning change.

Mrs. O'Shea presented objections to the zoning change both as a resident on Horsham Road and a part-owner of the industrial establishment on Lincoln Avenue.

Mr. Earle Craggs, 415 Moreboro Road, objected to the zoning change due to "spot" zoning and cited that a parcel of ground along Horsham Road has been sold and pointed out that it might also be used for apartment house construction.

In reply to a question of Dr. Brooks concerning the approximate cost of the project, Mr. Polis indicated that the building would cost approximately \$125,000 and that the ground is valued at \$15,000. The completed value of the structure has not been computed to date.

Mr. Jones recommended that a new opinion be received from the Planning Commission and recommended that no definite action be taken by Council until the Planning Commission again meets and

reconsiders the matter.

Mr. Mosetter questioned some other possible use as residential if the zoning is not changed and Mr. Platten pointed out that possibly three to five single dwellings could be constructed on the parcel of ground.

A motion was made by Mr. Jones, seconded by Mr. Rudolph, that action on the application for the zoning change be tabled until the Planning Commission meets and reviews the added facts and renders another decision. The vote on the motion was: In Favor--Messrs. Jones, Haigler, Rudolph; Against--Messrs. Brooks, Platten, Mosetter and Mr. Hillas. The motion was declared defeated.

Mr. Jones reviewed in detail the objections listed by the Planning Commission and pointed out that all of the reasons listed had been cleared up or answered except that the Planning Commission did not favor the zoning change as such a change did not conform with the overall zoning plan of the borough.

Mr. Shubin commented on the increase in the number of children in the borough and Mr. Platten pointed out that the terms of the lease will forbid the renewal of leases if children are living with families in the apartment house.

Mrs. O'Shea commented on the difficulty of evicting families with children regardless of the terms of a lease.

Dr. Brooks questioned if the Planning Commission members could reconsider this matter without prejudice.

A motion was made by Mr. Platten, seconded by Mr. Hillas to adopt an ordinance to change the zoning classification of the parcel of ground in question from Residential A to Residential C including all restrictions previously discussed and with the further restriction that renewal of rental agreements be denied if children are residing with families in the apartment house.

Before a vote was taken on the above motion, a motion was made by Mr. Haigler, seconded by Dr. Brooks, to table action on the above motion until the Planning Commission has had a further meeting and given consideration of the additional facts presented tonight. The vote on the motion to table action was: In favor--Messrs. Jones, Haigler, Rudolph, Mosetter, Brooks; Against--Mr. Platten and Mr. Hillas. The motion was declared passed.

Mr. Polis requested that he be invited to the meeting of the Planning Commission so that he could present all facts concerning his application.

The following bills were presented by the Secretary and approved by the Council for payment:

<u>Vo.#.</u>	<u>Vendor</u>		
711	Philadelphia Electric Co.	\$	10.00
712	Philadelphia Shelving Corp.		39.95
713	Montgomery Publishing Company		12.32
714	James Craig		9.30
715	Montgomery Office Equipment Company		202.00
716	W. F. Keegan & Co.		5.30
717	Fred Krauskopf		38.50
718	Knox Henderson		125.00
719	Hambrecht's Photo Shop		150.00
720	Hatboro Lumber & Fuel Co.		33.43
721	Wm. Hobensack's Sons		.75
722	Haggerty, Boucher & Hagan, Inc.		176.00
723	Hatboro Office Supply Co.		30.33
724	Eureka Stone Quarry, Inc.		15.94
725	The Daily Intelligencer		40.75
726	Delaware Valley Concrete Co., Inc.		152.63
727	C & C Supply Co., Hatboro		44.88
728	Bell Telephone Co.		1.42
729	Jim Banes Ford, Inc.		29.05
730	Jim Banes Ford, Inc.		19.60
731	Brooks Paint Store		13.10
732	Bux-Mont Office Supply		1.76
733	Phila. National Bank, Trustee		4,500.00
734	Bux-Mont Office Supply Co.		1.40
735	Fire Police of Enterprise Fire Co. #1		150.00
736	Visiting Nurses Asso. of Eastern Mont. Co.		300.00
737	Montgomery County S.P.C.A.		125.00
738	Dr. Harry Fisher		100.00
739	T. A. McClurken		135.00
740	Miss Rosanna Slack		100.00
741	Mr. Joseph Gramlich		100.00
742	Mr. Cyrus Chappell		100.00
743	Mr. Charles Koehler		100.00
744	Mr. Earl Haggerty		300.00
745	Mr. John Gintowt		187.50
746	Dr. R. W. Williams		90.00
747	Thomas A. McClurken, Petty Cash		18.60
748	Peter Tasch & Anna Tasch		1.00
749	Accounting Adjustment		--
750	" "		--
751	William Weber		10.00
752	Albert Steinberg & Co.		7.44
753	Superfine Fuels Co.		32.83
754	Sinclair Refining Co.		33.00
755	" " "		339.84
756	Smith Chevrolet Co.		3.06
757	Sargent-Sowell, Inc.		2.58
758	Pennsylvania State Burgesses Asso.		10.00

759	Pine Run Farm Supply Co.	\$ 9.53
760	Postmaster - Hatboro	99.20
761	Hatboro Hardware	3.37
762	Markovich Auto Parts	19.52
763	Delaware Valley Concrete Co., Inc.	13.25
764	Lou's Sunoco Service	46.65
765	Philadelphia Electric Co.	894.25
766	Hatboro Borough Authority	555.00
767	Lane M. Palmer	60.00
768	Peter Platten	90.00
769	Dr. E. I. Brooks	75.00
770	Rowland M. Newcomb	60.00
771	Edmund D. Haigler	90.00
772	Harry Rudolph	90.00
773	H. R. Jones	90.00
774	Progress Newspapers, Inc.	11.20
775	Stephen B. Hazzard	200.00
776	Erwin Printing, Inc.	23.50
777	Jim Banes Ford, Inc.	8.41
778	Paul Rosenbaum & Associates, Inc.	300.00
779	Ditto	400.00
780	Phila. National Bank, Hatboro Office	876.66
781	Hatboro Cycle Shop	3.50
782	Haggerty, Boucher & Hagan, Inc.	1,431.60
783	Cameron's Sanitary Landfill, Inc.	124.00
784	Edward M. Happ	4,392.00
785	Phila. National Bank, Corp.Trust Dept.	162.60
786	Bell Telephone Co. of Pa.	114.13
787	Philadelphia Electric Co.	12.10
788	The Intelligencer Co.	13.25
789	Bux-Mont Office Supply Co.	2.35
790	Jim Banes Ford, Inc.	4.50
791	Industrial Products Co.	26.04
792	Brooks Paint Store	2.00
793	Institute of Local Government	2.50
794	Void	
795	Postmaster- Hatboro	20.00
796	Eureka Stone Quarry, Inc.	478.52
797	Ed's Hardware	30.00
798	LaRocca Supply Co.	31.64
799	Harris Gramm, Inc.	2,663.77
800	Hatboro Lumber & Fuel Co.	42.97
801	Taggart's Hardware	3.46
802	W. Z. Dudbridge, Petty Cash	4.45
803	Alex L. Parry, Tax Collector	175.00
804	Jim Banes Ford, Inc.	3.80
805	Hirsch Tyler Company	156.75

A motion was made by Mr. Rudolph, seconded by Mr. Mosetter and approved by the council to adjourn the meeting, the hour being 10 P.M.

Thomas A. McQuirk
Secretary

Hatboro, Pa.
December 17, 1959

A special meeting of the Borough Council was held in the Council Room on the above date. The purpose of the meeting was to consider the proposal of the Hatboro Business Men, Mr. Watson and Mr. Irving Hoffman, relative to the development of the Garner-Lucy Barnes tract and to consider any other business to come before the council.

The meeting was called to order at 8:15 P.M. by President Platten with the following present: Councilmen Platten, Brooks, Jones, Rudolph, Mosetter, Haigler, Hillas; Mr. Klein of the Planning Commission; Messrs. Gamburg and Berlin, representing the Hatboro Business Men; Mr. Philip Newman of Newman & Master and approximately 30 residents.

Mr. Platten discussed in detail the application of Meadowbrook Park, Inc., Leonard Polis, President, for a change in zoning from Residential A to Residential C for a parcel of ground on the north side of Horsham Road at the west borough line. Action on this application had been tabled at the council meeting of December 14 pending reconsideration of the Planning Commission. Mr. Platten advised that the Planning Commission has given additional consideration to the petition and has a verbal report available for the meeting tonight.

Mr. Klein of the Planning Commission advised that he had contacted all members of the Commission and further discussed the application. They have reviewed the four reasons listed in a previous letter and he advised that the one main reason for disapproving the application was that they judged the change in zoning to constitute "spot" zoning. They also see no justification for one property in a Residential AA or A zone to be rezoned at this time. He further indicated that this new opinion from the Planning Commission can be placed in letter form if required.

Dr. Brooks questioned Mr. Klein if the Planning Commission had considered what other uses can be made of the parcel of ground in question. Mr. Klein referred to the Zoning Code which lists permitted uses for Residential A properties. Dr. Brooks questioned the status of the driveway serving the five other apartment houses in adjoining Upper Moreland Township and Mr. Klein indicated that his Commission had no knowledge of the status of the driveway. Dr. Brooks questions if Mr. Craggs, a member of the Planning Commission and a protesting resident of the area, had participated in the decision of the Commission. Mr. Klein indicated that Mr. Craggs did not express his opinion due to the controversy at the December 14 Council meeting. The opinion of the Commission stated this evening is that of three members. Mr. Klein further pointed out that the Planning Commission held an open meeting in November and Mr. Polis did not appear to state the facts of his application. Mr. Platten indicated that the Commission is not required to render an opinion at this meeting and stated that action by the Council can be deferred if the Commission desires

more time for further consideration. Mr. Jones cited that Mr. Polis might prefer to meet with the Planning Commission and asked Mr. Polis if he so desired. Mr. Polis pointed out that he was not advised of the first meeting in November of the Planning Commission. He further stated that he did not believe it would serve any purpose to meet with the Planning Commission at this time due to the reasons given for the rejection of the application by the Planning Commission.

A motion was made by Mr. Jones, seconded by Dr. Brooks, to deny the application of Meadowbrook Park, Inc. for the change in zoning classification from Residential A to Residential C for the above parcel of ground. The vote on the motion was as follows: In favor--Messrs. Jones, Haigler and Brooks; Against--Messrs. Mosetter, Platten, Rudolph and Hillas. The motion was declared defeated.

A motion was made by Mr. Platten, seconded by Mr. Rudolph to adopt the following ordinance to change the zoning classification of the parcel of ground on the north side of Horsham Road at the west Borough line, presently owned by Meadowbrook Park, Inc. from Residential A to Residential C with the restrictions as to sidewalks and curbs, trees in front of the building, storm drainage construction, street dedication on the curve without penalty for lot area and completion within nine months of the date of the enactment of this ordinance to be contained in a separate agreement as a condition to the zoning change. The vote on the motion to adopt the above ordinance was as follows: In favor--Messrs. Mosetter, Platten, Rudolph and Hillas; Against--Messrs. Jones, Haigler and Brooks. The motion was declared approved.

ORDINANCE NO. 333

TO REVISE THE ZONING MAP OF THE BOROUGH OF HATBORO
TO PROVIDE FOR THE RECLASSIFICATION OF A PORTION OF
A DISTRICT ZONED A-RESIDENTIAL TO C-RESIDENTIAL
CLASSIFICATION.

Mr. Platten advised that a sewer agreement received from the Upper Moreland-Hatboro Joint Sewer Authority in connection with the connecting of the Haines-Sandford Laundromat on East County Line Road at Jacksonville Road, on which action had been deferred at the previous meeting, had been returned to the Sewer Authority so that the agreement could include the interest clause. He pointed out that the terms of the agreement are now similar to those of previous sewer connection agreements. A motion was made by Dr. Brooks, seconded by Mr. Jones and approved by the Council to approve the above sewer connection agreement.

Mr. Platten in introducing the main subject of the meeting, restated the proposal submitted by Mr. Samuel Gamburg as follows:

" The Lucy Barnes-Garner tract will be drained, paved, graded, lined, lighted and turned over to the Borough for parking purposes with the restriction that it be a free Municipal Parking Lot with a two hour parking limit. The property is understood to be an interior parcel with the exception that there are entrances to be constructed to York Road and Penn Street. The owners, it is understood, will take the York Road frontage and expect to build on it a food store which will be leased to the Penn Fruit Company and on the Penn Street frontage the bowling alley of 24 to 32 alleys will be constructed. Other York Road frontage of 47' south of the Gamburg Store will be developed by the developers with another type of store. The proposal also states that the Borough should take over the interior parcel consisting of an improved piece of ground. If so taken with restrictions, which have been stated as a two hour parking lot, the ground would then be removed from the tax rolls and the Borough would assume all costs of maintaining paving, lighting, lining, policing, snow removal and other services similar to the operation of the Moreland Avenue parking lot. The storm water passing through the lot, which is already at almost capacity proportions for the opening under York Road, plus the run-off of the paved lot, present a problem. A choice of solutions to the storm water problem may be:

- 1- Install another culvert under York Road at Byberry Avenue
- 2- Enlarge the existing culvert under York Road
- 3- Divert water from the northeast section of the borough at the east side of the Reading Railroad tracks and carry the water south to the Pennypack Creek at Fulmor station.

The developer's proposal includes a commitment from the Borough to take the water from the parking lot, which has been collected and piped to the southwest corner of the lot and dispose of it as the borough so decides. "

Mr. Newman pointed out that the 47' frontage south of the Gamburg store will be improved with a store of not less than \$150,000 construction cost. Mr. Newman further stated that the area of the Penn Fruit store on York Road will be 20,000 sq. ft. total area with 16,000 sq. ft. of sales floor space. Mr. Platten questioned concerning the size of the bowling alley and Mr. Newman advised that definite plans have not been formulated to date for the bowling alley.

Mr. Platten pointed out that the Borough Council proposes that space be reserved on the Penn Street end of the parking lot for 100 commuter cars. He also cited that future traffic flow problems will result from having only one entrance and one exit on Penn Street after the proposed development is completed. He pointed out that the commuters usually will be out of the commuter parking lot

before the evening shoppers arrive. Mr. Newman indicated that such a use is up to the Borough business men to decide. He represents owners of the Garner tract and the Hoffman Parcel in the interest of development and that he is not familiar with the Borough parking problems. He further stated that he did not believe that his clients would object to the commuter use up to 100 cars. He recommended that the income from the commuter parking be set aside for operation costs, new entrances and exits and possibly more off-street parking in other areas. Mr. Gamburg pointed out that the business men have met and discussed this matter and asked if Council had any other questions or additional proposals to add to the agreement. Dr. Brooks pointed out that a bond issue will probably be needed to finance the project. He also stated that the construction of new stores may soon use up available parking area and that it may be well to ask new developers to make up for any parking deficit with a \$300 contribution per car deficit to be set aside in a fund to provide for future parking areas. This requirement would be similar to the Lower Merion parking plan. Dr. Brooks cited that the presently established retail merchants are contributing toward the development of the shopping center and parking area and believes that future developers should be required to participate. Mr. Newman cited that such a plan may not be legal and indicated that the main purpose of the whole proposal is greater and better development and did not believe that any restrictions should be put in the way of development by later developers. Dr. Brooks cited that other communities in this area do not provide parking for commercial enterprises. Mr. Newman pointed out the advantage to the borough of receiving more taxable retail development in the area.

Dr. Brooks and Mr. Gamburg discussed the possible assessed valuation of the new development and the possible tax return. Mr. Platten pointed out that Council is at the present moment weighing the advantages of the whole development compared to the cost that is to be borne by the Borough.

Mr. Mosetter questioned if the 100 car commuter area is asked for and received and that at some future date the lot becomes overcrowded would the business men ask that the borough release a portion of the commuter area for free open parking for shoppers.

Mr. Gamburg indicated that the question would be answered at a later time and advised that the business men's committee has met and agreed that the allocating of 100 spaces for commuter parking on the Penn Street end of the lot is agreeable to the business men provided the commuter area is opened for free parking after the six o'clock train. Another condition of agreement is that all money collected from the commuter parking area be used for the maintenance of any free parking lots in the borough, such as the Moreland Avenue lot, the proposed post office lot and the bank parking lot. Such a fund might be used to defray the cost of lighting the lot. The balance of the fund should be set aside for the construction of new entrances or exits to the Garner lot or other new off-street parking areas. He further recommended that the money not be put in General Fund.

Mr. Haigler questioned if part of the commuter parking fund could be used to amortize the cost of drainage facilities which may have to be constructed at an estimated cost of \$60,000 to \$100,000. Mr. Gamburg questioned if the Borough Engineer had prepared the cost estimate for the increasing of the drainage facilities under York Road. Mr. Platten indicated that the estimate has been received and is in the amount of \$30,000 not including engineering, legal or right-of-way costs.

Mr. Haigler cited various capital costs that might arise such as drainage, policing, lighting and traffic signals, which could total between \$60,000 and \$97,000. Mr. Platten reviewed in detail the capital costs and recommended putting all income in one fund and that it be used only for parking costs of the borough. Mr. Gamburg indicated that his committee believes that all of the money is going into one fund and is not concerned where the money comes from. He also indicated that if due to increased traffic in the future, entrances are needed for Byberry or Moreland Avenue, it might be difficult to raise the funds to construct such new entrances if the income from the commuter parking is not set aside in a separate fund.

Concerning the income from the parking lot, Mr. Platten pointed out that the commuter income would not exceed \$5,000 per year without considering deductions for lot operation and maintenance expenses.

Mr. Gamburg advised that the business men have agreed to go along with Council's proposal to use the Penn Street end of the parking lot for 100 commuter parking spaces. He stated that the prime purpose of the proposal of the business men to develop the retail zoned area, adjacent to the Garner property, with retail uses instead of residential uses. He expressed the opinion that any restrictions on future store developers on Byberry Road would have a retarding effect on development. He believed that the property owners along Byberry Avenue would donate all unused building area at the rear of their properties to be incorporated into the community parking lot. He expressed the opinion that increases in real estate assessments of the presently residentially used area already zoned retail, would bring in more tax income to the borough.

Mr. Platten pointed out that the Borough Council has no control over the real estate tax assessment nor can they require the property owners on the north side of Byberry Road to donate ground to the borough. Mr. Platten questioned how much additional ground was to be given to the parking lot by Mr. Watson and Mr. Hoffman. Mr. Gamburg advised that Mr. Watson is donating a 10' driveway from York Road to the parking lot, plus all of his property east of the rear line of the ware house. He advised that the Penn Fruit would extend back from York Road approximately 225' and would donate all ground beyond that to the Borough. Mr. Platten reviewed the plan which followed the above measurements and indicated

that approximately 531 cars could be placed on the parking lot.

Mr. Mosetter questioned if the borough would be asked to give up the 100 commuter parking spaces if the retail parking area became over crowded. Mr. Gamburg indicated that when such a condition exists it would be well for the business men and the borough council to work out new parking in another area of the borough. Mr. Mosetter also questioned if parking becomes crowded in the future, would newly built stores be required to furnish parking. Mr. Newman expressed the opinion that this would be a decision to be made by a future council of the borough. Mr. Jones suggested using a figure of \$150 per car deficit in order to build up a fund for new parking areas. Mr. Gamburg objected to the plan and pointed out that if the parking lots were filled to capacity and new stores were planned, money would serve no purpose if ground were not available at any price. Mr. Platten pointed out that discussion of this situation puts new developers on notice that the parking situation in the borough is critical.

Mr. Hillas questioned why the borough should take title to the proposed parking lot. Mr. Gamburg expressed the opinion that the borough is better able to maintain the lot and that the borough will benefit because if one owner retained it, that one owner might restrict it to parking for his store only. He also cited the fact that if over \$200,000 is spent on the parking lot and given to the borough at no cost, the borough will be receiving a very valuable piece of ground. He pointed out that there will be taxable development of over \$1,000,000 construction cost following the construction of the parking lot. If the parking lot is not built there would be no development and therefore no added tax income for the borough. Mr. Newman expressed the opinion that the proposed parking lot is not only for the use and benefit of the lessees but is for the benefit of all merchants in the borough, especially those contributing to the fund now being collected. Mr. Platten suggested that a corporation of business men be formed to hold title to the parking lot and control the parking lot for the benefit of all.

Mr. Gamburg pointed out that funds have been collected and almost all business men in the borough have been brought together to get a proposal for the benefit of the borough. If the borough council is not interested in the commercial development to off-set oncoming increases in taxes then they should reject the proposal submitted. The business men are not interested in any other type of proposal at this time. Mr. Platten pointed out that council is interested in development and that the discussion at this point is merely to find a means to accomplish the development of the area.

Mr. Platten further indicated that the proposal that the merchants retain ownership of the parking lot is an alternate proposal along with the borough taking care of the drainage problem. Mr. Haigler discussed the parking requirements of the zoning code and the use of a plan to require cash contributions for deficits. Mr. Louis Gamburg urged the construction of the parking lot to protect the value of the present properties in Hatboro and to keep the

borough's tax income at a steady level. Mr. Platten indicated that almost all present agree on the need of development and that the problem is working out the details to accomplish such development.

Mr. Newman questioned if all new developers attracted by the Penn Fruit and bowling alley construction would be required to pay for parking deficits. Dr. Brooks indicated that none of the listed contributors would be required to pay for a parking deficit in future construction.

Dr. Brooks expressed his opinion in favor of the proposal with commuter parking on the Penn Street end of the parking lot. He also questioned the tax income to the borough and school board for such construction. He cited income from one-half million dollars construction and called attention to an immediate deficit until added building increases the tax income. He also cited the advantage of employment for borough residents and the guarantee of protection to present values in the shopping area. Opposite all these advantages council must weigh the gamble of the borough investing funds in the project. Mr. Newman expressed the opinion that tangible advantages are not measurable by tax collars. Mr. Platten outlined possible costs of improvement with capital expenditures of approximately \$50,000 with yearly operating expense of \$5,000.

Mr. Krueger questioned if the meeting had lost the possible sight of the decrease in tax income in the absence of the parking lot. Mr. Sam Gamburg also discussed the loss of meter parking income if the lot is built. He cited the Borough of Lansdale as an example where parking meter income increased when off-street parking facilities were provided. Mr. Gamburg also cited income of approximately \$125,000 in parking meter income over the past ten years and indicated that there might be a great loss in parking meter income if leading stores closed or moved out of the borough.

Dr. Brooks questioned the opinion of the merchants concerning the parking of employees' cars on the parking lot. Mr. Gamburg and Mr. Berlin agreed that they object to such parking and recommended that employees' cars be forbidden from the proposed parking lot.

Mr. Curnow expressed the opinion that if the parking lot is built why could not the real estate assessments of the surrounding properties be increased. Mr. Platten pointed out that such an increase would be proper but the assessment of real estate properties is under control of the county assessment office.

Mr. Fred Newsome questioned that if the proposal is accepted and the lot is built and is self-supporting, why cannot such figures be proven. Mr. Platten indicated his opinion that it would take 10 to 12 years to pay off the cost of development and that after that period of time it might be profitable dollar wise to the borough. Dr. Brooks expressed the opinion that even if a small cost

must be borne by the borough in the development, it appeared to be a good deal for the borough.

Mr. Rudolph cited the "built in" limitation of future development for the area being considered by the using up of the proposed parking lot area. He pointed out that the construction of the food store and the bowling alley used up all but 130 parking spaces on the proposed parking lot in accordance with the computation figures of the zoning code of the borough. He questioned how 130 car spaces could support the construction of an additional 1/2 million dollars worth of stores. Mr. Gamburg in this connection questioned the application of the standards set out in our zoning code to large store development using a centralized community parking lot. He pointed out that the Willow Grove parking lot for the Snellenburg and Penn Fruit stores, along with many other smaller stores, furnishes parking for only approximately 1400 cars whereas the Hatboro Zoning Code would require 4800 cars. He believed it possible that our Zoning Code is out of date. Mr. Haigler advised that he had discussed the parking requirements with several of the large food chain stores in the Philadelphia area and they have advised that the parking requirements of our Zoning Code are in line with their requirements. Mr. Newsome questioned the risk involved in pointing out that if the parking lot and shopping center proposal does not become successful and some of the businesses leave the borough, it would no longer require that the borough maintain the parking lot along with the necessary operating expenses as the parking requirement would no longer be in the area. Mr. Platten pointed out that the argument put forth that if the proposal presented is not accepted that the retail area of the town will die, should not be considered as an agreed result. Proposals for this development have been presented to the council for the past five or six years and the borough's retail area has not receded but appears to have developed to some extent. Mr. Newsome pointed out that as long as we have an undeveloped parcel of ground in the center of the retail area, we are not getting the most beneficial use out of the area. Mr. Platten pointed out that it is not necessarily the borough that is not getting the best use but the property owners are not making the best use of the ground. He questioned whether it is the function of a municipal government to develop a piece of ground in the borough.

In discussing the development of the Garner property in the area Dr. Williams questioned if the construction of a bowling alley was proper for the area. He expressed his dislike for a bowling alley and expressed the opinion that it would attract undesirable people from surrounding areas. Objections to Dr. Williams' remarks concerning the unattractiveness of a bowling alley were made by Mr. Jones and Mr. Worstall.

A motion was made by Dr. Brooks, and seconded by Mr. Jones, to approve a resolution indicating that the proposal presented to council for the development of the Garner lot be received favorably provided that the borough receives the right to have 100 car spaces for commuter parking purposes for pay and that the rest of the lot

be a free municipal lot with a two hour limit and the borough will assume the cost of providing drainage from a point on the Garner tract to some other point, and that the borough will receive the ground which will be dedicated to them to thereafter maintain and operate.

Mr. Platten indicated that the above resolution constitutes an agreement in principle with the detailed terms to be developed at a later date. Mr. Haigler questioned if there is any way that this financial expense proposal can be placed before the voters. He indicated that several of the councilmen have been elected on the principle that items of this type should be placed before the voters. Mr. Platten indicated that in order to comply with the agreement covered above it will be necessary for the borough to make an expenditure of \$30,000 to \$75,000 and that at the time the borrowing is actually made council by majority vote should decide whether the borrowing should be done by the vote of the electorate or by councilmanic action. Mr. Newman pointed out that the developers, based on the decision made tonight, expect to spend a considerable sum for engineering and plans and that such an expenditure could not be made subject to a referendum vote of the people at the election to be made in May. Mr. Platten indicated that one way of resolving the issue of the borrowing is to amend the resolution to indicate that such borrowing as might be necessary for the project be done by councilmanic action rather than by the vote of the electorates.

Mr. Jones expressed his opinion that he did not believe that Mr. Haigler could be criticised for voting for a borrowing for this project. Mr. Platten expressed the opinion that if the proposal placed before council called for the developers to retain possession of the parking lot and the borough was faced with the proposition of taking care of the drainage water, the expenditure for the drainage construction would normally be classed as operating expense. Whether the borough takes over ownership of the parking lot or the developer remains, ownership has no influence on the cost of the project to the borough. In his opinion he did not believe that the expenditure involved presents an obligation that it be placed before the voters.

Miss Stoll questioned what would happen to the parking lot if the development of the surrounding area did not develop as planned which would leave the borough holding a parking lot which was neither required nor reasonable to operate as such. Mr. Platten indicated that he would expect to receive from the owners of the ground a deed dedicating to the borough "in fee simple" with restrictions that so long as it is practical and reasonable that it would be used for a parking lot, that the owners of the lot agree that if circumstances turned out that the continuation of the property as a free municipal parking lot is completely unrealistic and not in accordance with the wishes of the business men or the residents and that some other and better use could be made of the ground, that the borough would not be required to receive releases from the previous property owners in order to

divert or sell off a portion of the property for another use.

Dr. Brooks amended the motion stated above and Mr. Jones accepted the amendment to indicate that the funds required should be borrowed through councilmanic action. Dr. Brooks explained that even without the development proposed, there is an existing drainage problem and flooding condition existing for which he feels justified in spending approximately \$30,000 to alleviate. He also indicated that with the adjusting of the drainage problem under York Road an additional 50 car parking area may be obtained behind the Parnell-Shiles stores on the west side of York Road. Another 50 car parking space may also be obtained with the extension of the bank parking lot.

Mr. Haigler questioned when the lease was signed with the Penn Fruit Company for the proposed store on York Road. Mr. Newman indicated that a lease has not been signed to date. Mr. Newman further indicated that the conditions of the lease were drawn up in September 1959.

Mr. Curnow questioned if council is on record concerning the method to be used for borrowing the funds for the development of the parking lot. Mr. Platten advised that he would answer a qualified "yes" to this question. However the question as to whether this item would represent a capital investment or a normal expense in the improvement of the drainage structure, has not been settled.

Mr. Haigler reviewed the figures with Engineer Haggerty and advised that the total investment required on the capital expenditure list might run as high as \$90,000. Mr. Jones criticized the figures given by Mr. Haigler and stated that they presented only one side of the story. Dr. Brooks pointed out that the establishment of an off-street commuter parking lot will go a long way in solving the commuter parking problem on the streets adjacent to the railroad station.

Mr. Platten questioned Mr. Newman concerning the possible completion date of the project and Mr. Newman reported that it could be completed by July or August 1, 1960. Mr. Platten questioned concerning a date of March 1 for breaking ground and completion by December 31, 1960 and Mr. Newman confirmed that such dates could be met.

The vote on the motion to adopt the amended resolution was taken as follows: In favor--Messrs. Jones, Mosetter, Platten, Hillas and Brooks; Against--Messrs. Haigler and Rudolph. The motion was declared approved.

A motion was made by Mr. Jones, seconded by Mr. Mosetter and approved by the Council to adjourn the meeting, the hour being 11:45 P.M.

Thomas A. McDevlin
Secretary

December 28, 1959
Hatboro, Pa.

A special meeting of the Borough Council was held in the Council Room on the above date for the purpose of adopting a supplementary budget resolution and to consider any other business to come before the Council.

The meeting was called to order at 8 P.M. with the following present: Councilmen Mosetter, Haigler, Rudolph, Hillas and Brooks; Treasurer Gintowt, Burgess Williams.

In the absence of President Platten a motion was made by Dr. Brooks, seconded by Mr. Rudolph and approved by the Council to elect Mr. Haigler president pro tem for this meeting.

Mr. Haigler reported that the Finance Committee recommends that a Supplementary Budget Resolution be adopted to increase the appropriations in those accounts indicating expenditures in excess of appropriations with funds to be taken from excess income or accounts showing surpluses.

Following a discussion of the final budget report for the year 1959, a motion was made by Mr. Haigler, seconded by Mr. Hillas and approved by the Council to adopt the following resolution:

RESOLVED, That there be transferred from Budget Account #63-B, 21-C-2, 41-B and 61-H and excess income to various accounts, sufficient funds to increase the present appropriation in those accounts to the exact amount of expenditure authorized or ratified to be paid in the fiscal year, and

BE IT FURTHER RESOLVED, That the actual amounts to be transferred to each of such accounts shall be determined and recorded by the Treasurer, before the end of the current fiscal year.

Dr. Brooks and Mr. Haigler discussed the real estate assessments for the York Road retail properties. Mr. Haigler advised that the solicitor is working on a Deed of Dedication for the property on the north side of Horsham Road at the Borough line which is to be dedicated by Mr. Polis in connection with a change of zoning in that area.

Dr. Brooks discussed the Lower Merion Township parking plan and advised that even though the plan has been given wide-spread publicity the plan has not been adopted by the township commissioners.

Mr. Haigler presented a letter received from Engineer Hagerty dated December 23, 1959 which was read to the meeting concerning a meeting held on December 22, 1959 between Mr. Fitch of Vick Chemical Company, Mr. Rulon of Robert E. Lamb Company and

Mr. Haggerty. This meeting was in connection with the storm drainage problem through the Vick Chemical property. The routing of the water drainage and the parking required for the construction plan was discussed by the Council.

Dr. Brooks discussed the completion of the parking lot at the rear of the State Employment office on the west side of York Road, north of Monument Avenue. Following the discussion a motion was made by Dr. Brooks, seconded by Mr. Rudolph and approved by the Council to direct that the owner of the property, Mr. Irving Hoffman, be advised that the parking lot in the present condition is a violation of the zoning code. He is also to be advised that unless the parking lot is placed in such a condition as to permit the parking of at least 23 cars the violation will be turned over to our solicitor for appropriate legal action.

A motion was made by Mr. Hillas, seconded by Dr. Brooks, and approved by the Council to adjourn the meeting, the hour being 9:50 P.M.

Thomas A. McElverken
Secretary

P.S. The actual resolution applying to the above is as follows:

RESOLUTION

WHEREAS, The Borough of Hatboro in its Budget for the year 1959 estimated receipts in the total amount of \$237,959.22, and whereas the actual receipts were \$247,821.20, or a surplus of \$9861.98, and

WHEREAS, a credit balance remains in the following items set up in the 1959 Budget, as follows:

21-C-2	Police Equipment-Gas & Oil	\$	479.10
41-B	Highways- Wages		1,420.22
61-H	Recreation- Park Equipment		1,069.57
63-B	Recreation- Pools - Capital Outlay		<u>6,640.56</u>
		\$	9,609.45

NOW, THEREFORE BE IT RESOLVED, That the credit balances appearing in the above described items in the 1959 Budget be, and they are hereby unappropriated, and

BE IT FURTHER RESOLVED, That there be appropriated from the General Account the following items:

11-A-7	Administration- Salaries - Auditors	\$ 37.50
11-B	Administration- Salaries - Office Assts.	92.00
11-C-3	Administration- Legal Services	132.35
11-D-2	Administration- Engineering Expenses	270.85
11-E-1	Administration- Postage & Printing	4.01
11-E-3	Administration- Office Supplies	48.33
13-C	Borough Buildings- Rent	3.04
13-D	Administration- Buildings - Repairs	13.31
21-B-3	Police Uniforms	101.12
21-C-1	Police- Equipment - Repairs	544.44
21-C-3	Police- Equipment - Traffic Signals	111.46
21-C-3a	Police- Equipment - Parking Meters	116.34
21-E	Police- Maint. of jail	3.05
21-H	Police- Civil Service Comm. Exp.	65.12
31-D	Health & Sanitation - Supplies	68.10
36-A	Health & Sanitation - Rubbish Collection	585.53
41-A	Highways- Salary Supt.	.22
41-M-1	Highways- Equipment Repairs	462.86
41-M-2	Highways- Equipment - Gas & Oil	111.00
41-M-4	Highways- Equipment - Purchase Tools	87.58
41-O	Highways - Other Expenses	157.69
61-A	Recreation- Salaries	409.99
61-B	Recreation- Supplies	32.94
63-A	Recreation- Pools - Operation	3,846.61
91-B	Miscellaneous - Insurance - Comp.	63.34
91-C	Miscellaneous - Insurance - Casualty	4.67
98	Miscellaneous - Gasoline - Boro Tank	544.16
Total		\$ 7,917.61

And BE IT FURTHER RESOLVED, That this resolution be adopted as supplemental to the General Budget Resolution of the Borough of Hatboro for the year of 1959, and that any resolution or part of resolution conflicting with this resolution be, and the same is hereby repealed insofar as the same conflicts with this resolution.

Hatboro, Pa.
January 4, 1960

The organizational meeting of the Borough Council of the Borough of Hatboro was held in the Municipal Building on the above date.

The meeting was called to order at 8 P.M. by Burgess Williams with the following present: Councilmen Mosetter, Brooks, Platten, and Hillas; Treasurer Gintowt, Engineer Haggerty and Solicitor Henderson; Councilmen elect Gaither, Rudolph and Haigler; two press representatives and approximately 20 residents.

The invocation was given by Rev. James D. Matchette of the Lehman Memorial Methodist Church.

The Election Certificates for the councilmen elect were presented to the Burgess and turned over to the Secretary.

Following remarks by Burgess Williams the oath of office and loyalty oath was administered to Councilmen Elect Gaither, Haigler and Rudolph by Burgess Williams.

Burgess Williams called for nominations for the office of president of Borough Council. Mr. Hillas nominated and Mr. Haigler seconded the nomination of Mr. Peter Platten for president of Borough Council. The motion was made by Mr. Haigler, seconded by Mr. Hillas and adopted by the Council to close nominations for the office of President. Burgess Williams called for the vote on the election of Mr. Platten which resulted in Mrs. Gaither and Messrs. Hillas, Brooks, Haigler, Rudolph and Mosetter voting for Mr. Platten, with Mr. Platten abstaining.

Mr. Platten called for nominations for the position of Secretary of Borough Council. The motion was made by Mr. Platten, seconded by Mr. Mosetter, to appoint Thomas A. McClurken as Secretary of the Borough Council. The vote on the motion was: In favor--Councilmen Mosetter, Platten, Hillas, Haigler, Rudolph and Gaither, with Dr. Brooks abstaining. Dr. Brooks explained his abstention in voting by questioning if the department heads of the Borough (McClurken, Stauch and Wilcke) could be placed under Civil Service. He explained the use of Civil Service to protect the employees from political pressure and to remove them from the political field. Solicitor Henderson indicated that he would investigate this question and advise at a later meeting.

Mr. Platten called for action to appoint the borough treasurer. A motion was made by Mr. Haigler, seconded by Mr. Hillas and approved by the Council to appoint Mr. John J. Gintowt to the position of Borough Treasurer.

Mr. Platten called for action to appoint a borough solicitor. A motion was made by Dr. Brooks, seconded by Mr. Haigler and

approved by the Council to appoint Mr. Knox Henderson to the position of Borough Solicitor.

Mr. Platten called for action to appoint a borough engineer. A motion was made by Mr. Haigler, seconded by Mrs. Gaither and approved by the Council to appoint Mr. Earle Haggerty to the position of Borough Engineer.

Mr. Platten called for action to appoint a borough street commissioner. Mr. Platten explained the use of the term "street commissioner" as outlined in the Borough Code as a replacement for the term "Borough Superintendent". A motion was made by Mr. Haigler, seconded by Mr. Rudolph to appoint Mr. Edward O. Stauch to the position of Borough Street Commissioner. The vote on the motion was: In favor--Councilmen Mosetter, Hillas, Platten, Haigler, Rudolph and Gaither, with Dr. Brooks abstaining from voting.

Mr. Platten called for action to appoint a Chief of Police. A motion was made by Mr. Rudolph, seconded by Mrs. Gaither to appoint Walter Z. Dudbridge to the position of Chief of Police for the Borough of Hatboro. The vote on the motion was: In favor--Councilmen Mosetter, Hillas, Platten, Haigler, Rudolph and Gaither, with Dr. Brooks abstaining from voting.

With the organization of Council completed, Mr. Platten announced that the following committees are appointed to serve for the coming year. He indicated that appointments are tentative and called for suggestions from councilmen if changes are to be made.

Committees for 1960

Finance and General Government Committee:

Chairman, Mr. Platten--Members Mr. Hillas and Mr. Mosetter

Public Health and Safety Committee:-- Chairman, Mr. Rudolph

Members Dr. Brooks, Mrs. Gaither and Mr. Mosetter

Public Works Committee:

Chairman, Dr. Brooks--Members Mr. Haigler and Mrs. Gaither

Highway and Maintenance Committee:

Chairman, Mr. Haigler--Members Mr. Hillas and Mr. Rudolph

Mr. Rudolph announced that a meeting of the Public Health and Safety Committee will be held in the Council Room on Wednesday Evening, January 6, 1960 at 8 P.M.

Mr. Platten called for action to adjourn the Council meeting and requested that all councilmen remain to meet as a committee to review the plans for the Vick Chemical Development.

A motion was made by Mr. Hillas, seconded by Mr. Mosetter and approved by the Council to adjourn the meeting, the hour being 8:30 P.M.

Thomas A. McClellan
Secretary

Hatboro, Pa.
January 11, 1960

The regular meeting of the Borough Council was held in the Municipal Building on the above date.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen Hillas, Brooks, Mosetter, Platten, Haigler, Rudolph and Gaither; Burgess Williams, Solicitor Henderson, Engineer Haggerty, Superintendent Stauch, Building Inspector Wilcke, Police Chief Dudbridge, 2 press representatives and approximately 10 residents.

Mr. Platten introduced Robert John, a Hatboro Boy Scout who is preparing for a Merit Badge in government. He intends to observe the procedure of the Council meeting and use it in his work.

The invocation was given by Burgess Williams.

Noting that all of the minutes have not been transcribed and presented to the Councilmen for review, President Platten announced that approval of the minutes would be withheld until the February meeting.

Mr. Platten called on Mr. Fitch of Vick Chemical Company to continue with the discussion of the plan of Vick Chemical Company for the construction of the distribution center in the Borough. Mr. Fitch introduced Mr. Vonnannon, General Accounting Manager for Vick Chemical Company.

Mr. Fitch reviewed a letter received from Borough Engineer Haggerty containing cost estimates for the storm drainage solution south to the Pennypack Creek. The letter indicated that Step A, covered 1600 ft. of open trench along the east side of the railroad on Vick Chemical property, south to Fulmor Avenue, estimated to cost \$23,600 and Step B, covering 48" diameter pipe under Fulmor Avenue along with piping south to the creek, estimated cost \$41,400. Mr. Platten questioned if the possibility of running the storm water south from Fulmor Avenue on the west side of the railroad had been considered. Mr. Haggerty indicated that the increased cost of going under the railroad would eliminate any saving. Mr. Rulon and Mr. Haggerty presented estimates of required pipe sizes for carrying the water south to the creek. Estimates of complete development of the ground owned by Vick Chemical Company varying from a total of 570,000 sq ft of building to 380,500 sq ft of building were discussed. It was also indicated that varying rain fall figures had been used by Mr. Haggerty and Mr. Rulon in computing the pipe sizes. Mr. Haggerty indicated that a 48" pipe was required whereas Mr. Rulon indicated that a 36-42" pipe might be necessary, not including any diversion of future storm water. Diversion of other water through the property might require that an 84" pipe be used. Mr. Rulon indicated that he figures that Vick Chemical would pay 20% of the cost of the 84" diameter line of \$92,000 or a contribution by Vick of approximately \$18,500.00.

As an alternate to the above procedure Mr. Platten suggested that the Vick Chemical engineer look over the existing culvert which runs from the west side of the railroad tracks as it crosses Warminster Road under the tracks and empties into the Pennypack Creek. The culvert measures 3' wide by 32" high and 142' long and could be used as long as it has capacity sufficient for presently planned development. Use of this culvert would require that Vick install at least a 40" pipe under Fulmor Avenue to carry the water from their property to the inlet side of the above culvert. Mr. Fitch suggested that an open ditch be used to drain the water on Vick's property south to Fulmor Avenue and that Vick install the pipe under Fulmor Avenue to allow all water to flow down the east side of the railroad to the culvert. Mr. Platten suggested that this work could be done by the Borough with County aid possibly to be received, with the Vick Company to pay the balance not covered by County aid. Mr. Fitch suggested that Mr. Haggerty provide the pipe size and cost estimate of the Fulmor Avenue crossing. Mr. Platten indicated that any further piping could be left to the future but that the borough desires to have an agreement from the Vick Chemical Company in which Vick will provide for a portion of the cost of the total future piping needed in the area, with Vick's maximum cost to be determined at this time. It was agreed that Mr. Platten will formulate a written statement of all the points covered to date in connection with the storm drainage problem for the Vick Chemical Plant. Mr. Rulon indicated his opinion that the newest proposal is not as good as the first one as there are added requirements which were not covered in the first one. Mr. Platten indicated that the agreement will postpone the actual construction of the piping from Fulmor Avenue to the Creek. Mr. Platten and Mr. Haigler agreed that the division of costs should be based on pipe size with Vick to pay base price and Boro the increment and not on the total volume basis. Mr. Platten further indicated that the Borough will also aid in the obtaining of rights-of-way for the drainage line south to the creek.

Mr. Platten questioned Mr. Fitch on the amount of parking to be provided for the first building to be constructed. After reviewing the requirements of the Zoning Code as to warehouse and office space, it was agreed that seventy car spaces should be provided.

Mr. Platten questioned concerning the installation of curbs and sidewalks. Mr. Fitch indicated that at the present time the plans do not call for the installation of either. Mr. Platten suggested that curbs be installed on Warminster Road as far south as the building extends on Warminster Road.

Treasurer Gintowt reported that the balance in the borough treasury at the end of 1959 was \$16,000.00. Deposits and expenses to date have reduced the balance to \$14,000, which after payment of invoices presented for approval tonight, will result in a balance at the end of January of approximately \$800.

Mr. Platten indicated that the Finance Committee has not held a meeting on the subject of borrowing but indicated that due to the surplus not being as large as in January of last year, it appears that borrowing will be needed before the next Council meeting.

A motion was made by Mr. Platten, seconded by Mr. Haigler and approved by the Council to authorize the adoption of the following resolution:

RESOLUTION

RESOLVED, That the President and the Secretary of the Borough of Hatboro, be and they are hereby authorized in behalf of the said Borough of Hatboro, to borrow an amount not to exceed \$50,000.00, and to issue, execute and deliver a promissory note or notes in such amounts as, from time to time, in the opinion, signified by proper vouchers, of the President, Chairman of the Finance Committee and Treasurer, are required to pay bills due or to become due, payable on demand with interest at 3% per annum and to affix the corporate seal thereto.

In connection with the construction of the Vick Chemical building, Dr. Brooks discussed the possible tax income to the borough. He indicated that with a possible borough tax income of \$4500 from the property it would take from 10 to 12 years to pay off the cost of the construction of the storm drainage system discussed earlier in the meeting.

Mr. Rudolph reporting for the Public Health and Safety Committee reviewed the status of the complaints concerning the contamination of the Pennypack Creek. Noting that the main contributors to such contamination are the industrial plants on Jacksonville Road in Warminster Township, Mr. Rudolph suggested that the Secretary contact the Warminster Sewer Authority to determine the up-to-date status of the sewer system in that area. Mr. Platten indicated that he had been in contact with the engineer for the Warminster Authority and had been advised that Lacey Gardens are now using the new plant and that the industrial plants expect to connect to the sewer system in March or April 1960.

Mr. Rudolph discussed the report received from the Building Inspector that the Ivycrest Dairy building at Summit Avenue and Jefferson Avenue is in a hazardous condition. This building has been boarded up several times in the past four or five years but after a time again becomes an attractive nuisance to the children of the neighborhood. The committee recommends that action be taken to condemn the building and have it demolished. Mr. Arthur Bready, owner of the building, who was present at the meeting, presented a request for the committee to reconsider condemning and demolishing the building. Mr. Bready also indicated that he

has a prospective tenant who hopes to make a use of the building as a light industry. This use would require a special exception from the Zoning Board of Adjustment. Mr. Haigler asked Mr. Bready if he had taken liability insurance to cover the building to which Mr. Bready answered that he had not. He further indicated that he would be willing to take out such type of insurance. Dr. Brooks suggested that Mr. Bready be allowed to board up the building once more and if the building cannot be maintained in a proper condition it should be removed. Mr. Bready further indicated that he hoped for a definite decision from his prospective tenant within the next week or ten days. The committee agreed that a thirty day deferment of action by the Council would be given provided Mr. Bready agreed to have the building closed up immediately.

Mr. Rudolph discussed the practice of motorists parking on borough streets on the wrong side facing traffic and cited such a practice as a great traffic hazard. He asked that the newspapers carry the story that this violation of the Vehicle Code will be strictly enforced by our police department.

Mr. Rudolph presented a recommendation from the committee that one parking meter be removed on the west side of south York Road, just north of the Pennypack Creek branch in connection with the construction of two buildings.

Mr. Rudolph presented a recommendation from the committee calling for the abolishing of taxicab stands in the borough and the installation of parking meters in the spaces. The Secretary read a letter from the attorney for the two taxicab companies indicating that taxicab service in Hatboro will shortly be taken over by the Warminster and Willow Grove taxi companies which will definitely present improved taxicab service for the borough residents. The attorney further indicated that the taxicab stands presently existing are essential to their operation and recommended that they be retained. Mr. Rudolph recommended that any action by Council be deferred for thirty days so that use of the taxi stands may be observed.

Mr. Rudolph reported that a request has been received from the Hatboro School Board for the ordaining of a "No Parking" area on the west side of Academy Road opposite the school driveway. This requirement is for the convenience of the school buses turning out of the driveway. Due to the fact that exact measurements must be made for the writing of the ordinance action was deferred until the next meeting.

Mr. Rudolph discussed the need for restricting the use of Moreland and Montgomery Avenues between Jacksonville Road and Warminster Road by thru truck traffic. In this connection the Secretary read a proposed ordinance forbidding the use of the above streets by trucks except for local deliveries. A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to adopt the following ordinance which included the above

restrictions and added Madison Avenue from York Road to County Line.

ORDINANCE NO. 334

TO FURTHER AMEND ORDINANCE NO. 266, APPROVED AUGUST 3, 1953, WHICH AMENDED ORDINANCE NO. 231, APPROVED FEBRUARY 7, 1950, ENTITLED "AN ORDINANCE REGULATING TRAFFIC IN, AND CERTAIN USES OF THE HIGHWAYS OF THE BOROUGH OF HATBORO".

Mr. Rudolph presented the report of the Police Department for the month of December and for the year 1959. He also presented the report of the Assistant Health Officer and Building Inspector and Plumbing Inspector.

Mr. Rudolph reported that recommendations have been received from the Chief of Police and the Burgess that one additional man be appointed to the Hatboro Police Department. He further advised that the Civil Service Commission had conducted two examinations and had submitted an eligibility list with two candidates.

A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to appoint Clyde Penglase, 112 Byberry Avenue, Hatboro. Pa. as patrolman in the Hatboro Police Department effective February 1, 1960 at a salary of \$1900 for the first six months and \$2175 for the second six months.

Mr. Rudolph discussed the need for replacing the 1958 police car due to the high cost of repairs. A motion was made by Mr. Rudolph, seconded by Mrs. Gaither and approved by the Council to authorize the Secretary to advertise for the receiving of bids for a new police car to be opened on February 8, 1960.

A motion was made by Mr. Rudolph, seconded by Mrs. Gaither to appoint Mr. Harry W. Wilcke, Jr. to the positions of Zoning Officer, Assistant Health Officer, Plumbing Inspector and Building Inspector to serve for a period of time at the pleasure of Borough Council. The vote on the motion was: In favor--Messrs. Hillas, Mosetter, Platten, Haigler, Rudolph and Gaither, with Dr. Brooks abstaining.

A motion was made by Mr. Rudolph, seconded by Mr. Haigler, and approved by the Council to appoint Dr. Harry Fisher as Health Officer for the Borough of Hatboro.

Dr. Brooks reported that on two occasions he had visited the police office after midnight and requested that the police car be called into the office with the result that at one time it had arrived within three and one-half minutes and another time within one minute. He commended the police department for their prompt attention to police matters.

Burgess Williams read a letter from a resident of Buckingham Township conveying a complaint that the Police Department had placed a ticket on his car for an overtime parking violation in the vicinity of the railroad station. The motorist recommended that the installation of 25¢ commuter parking meters be made in the vicinity of the railroad station. Burgess Williams read his reply to the complainant indicating that there are plans for additional commuter parking in the area.

Mr. Platten called for action to appoint a borough auditor to serve the term of Mr. Winner, recently re-elected at the election, who has moved from the borough. A motion was made by Dr. Brooks, seconded by Mr. Platten, to appoint Dr. James Todd, 110 Monument Avenue, to the position of borough auditor for a term of six years to expire December 31, 1965. Councilmen Hillas, Mosetter, Platten, Haigler and Brooks voted for Dr. Todd and Councilmen Rudolph and Gaither abstained from voting. Mrs. Gaither and Mr. Rudolph explained that they were not personally acquainted with the appointee and therefore abstained from voting.

Mr. Platten called for action to appoint a member to the Hatboro Borough Authority. A motion was made by Mr. Platten, seconded by Dr. Brooks and approved by the Council to appoint Mr. Robert H. Green, 138 Byberry Avenue, Hatboro, to serve as a member of the Hatboro Authority for a term of five years to expire December 31, 1964 at a compensation of \$200 per year.

Mr. Platten called for action to appoint a member to the Hatboro Planning Commission. A motion was made by Mr. Haigler, seconded by Mr. Mosetter and approved by the Council to appoint Mr. Selden B. Clark, 37 Home Road, to serve as a member of the Planning Commission for a term of five years to expire December 31, 1964.

Mr. Platten called for action to appoint a member to the Hatboro Park Board. A motion was made by Dr. Brooks, seconded by Mr. Mosetter and approved by the Council to reappoint Mr. Frank Taylor, 438 Moreboro Road, Hatboro, to serve as a member of the Hatboro Park Board, for a term of five years, to expire December 31, 1964.

Mr. Platten called for action to appoint a member to the Hatboro Police Civil Service Commission. A motion was made by Dr. Brooks, seconded by Mr. Platten and approved by the Council to appoint Dr. William Sohn, 68 Byberry Road, Hatboro, Pa. to serve as a member of the Police Civil Service Commission for a term of six years, to expire December 31, 1965.

Mr. Platten called for action to appoint a member to the Zoning Board of Adjustment. A motion was made by Dr. Brooks, seconded by Mr. Haigler and approved by the Council to reappoint Mr. Cyrus Chappell, 29 Horsham Road, Hatboro, to serve as a member of the Zoning Board of Adjustment for a term of three years to expire December 31, 1962.

Mr. Platten called for action to appoint two members to the Police Pension Committee. A motion was made by Mr. Rudolph, seconded by Mrs. Gaither and approved by the Council to appoint Mr. Charles V. Walsh, 519 Moreboro Road, to serve as a member of the Police Pension Committee.

A motion was made by Mr. Hillas, seconded by Mr. Platten, to appoint Mr. William Lampmann, 20 Drexel Road, Hatboro, to serve as a member of the Police Pension Committee. The vote on the motion was: Councilmen Hillas, Mosetter, Platten, Brooks and Haigler voting for Mr. Lampmann, with Mr. Rudolph and Mrs. Gaither abstaining from voting.

Mr. Platten presented and read a letter of resignation from Mr. Lawrence Miller, a member of the Hatboro Borough Authority, to be effective immediately. A motion was made by Mr. Platten, seconded by Mr. Haigler to accept the resignation presented above.

Mr. Platten, reporting for the Finance Committee, advised that a rough draft of the 1960 Budget has been prepared and will be presented to a meeting of the Finance Committee shortly.

A motion was made by Mr. Platten, seconded by Mr. Mosetter and approved by the Council, to designate the Hatboro Office of the Philadelphia National Bank as the official depository for Borough funds for the year 1960.

A motion was made by Mr. Platten, seconded by Mr. Haigler and approved by the Council to set the amounts of fidelity bonds for the following employees as indicated:

Borough Treasurer	\$ 10,000
Borough Secretary	3,000
Street Commissioner	1,000

Mr. Haigler discussed the curbing construction job on South York Road at Crooked Billet Road, and advised that a requisition has been received from the engineer to authorize payment of \$791.78 to Harris Gramm, Inc. This requisition represents 90% of the work completed to date. A motion was made by Mr. Haigler, seconded by Mr. Platten and approved by the Council to authorize the above payment.

Mr. Haigler discussed the problem of maintaining the state highways within the borough which are in need of repair. He indicated that many times the borough maintenance forces are required to perform temporary repairs. He suggested that all employees be urged to advise residents who complain of the condition of the State roads, to write to the governor of this state in order that action may be received from the State Highway Department.

Mr. Rudolph questioned concerning future plans for full width paving of York Road, north from Summit Avenue to County

Line Road. The Secretary advised that a survey and estimate of cost had been prepared in 1956 by the borough engineer which indicated that costs of approximately \$20,000 were involved in the project mainly due to necessity of paying land damages. Action at that time was deferred by the Council. Mr. Platten recommended that the project be referred to the Highway and Public Health and Safety Committees for discussion at their next meeting.

Dr. Brooks reporting for the Public Works Committee, advised that he had contacted the Philadelphia Electric Company concerning the installation of the new aluminum street lighting poles. It is expected that they will be installed shortly.

At the direction of Dr. Brooks the Secretary read a letter which he had written to the Air Force Commander at the Willow Grove Air Base asking for transportation for Hatboro Boy Scouts to a Jamboree to be held in July 1960 in Denver, Colorado.

Burgess Williams reported that he had reappointed William Weber, East Monument Avenue, to serve as a member of the Shade Tree Commission.

Mr. Rudolph discussed and questioned the locating of the new office building being constructed adjacent to the Pennypack Creek on the west side of York Road. He also commented concerning the narrowness of the driveway between two buildings being constructed. He directed that the Secretary contact the Department of Forests and Waters to obtain a ruling concerning construction of buildings upon or near to the rights-of-way for streams. Council agreed that issuance of a Certificate of Occupancy for the building should be withheld until a definite status has been determined with the State government.

Mr. Rudolph questioned concerning the construction of curbing in connection with the building of the Schneider Funeral Home on York Road, north of Crescent Road. It was agreed that the Certificate of Occupancy should be withheld until the curbing construction has been completed.

Burgess Williams recommended that curbs and sidewalks should be required on all construction jobs in the borough. The Secretary advised that a curb and sidewalk notation is included in all building permits being issued by the building inspector. The question of curb and sidewalk requirements was referred to the Highway Committee for investigation and recommendation for a policy to be determined at the next meeting.

Dr. Brooks commended several of the councilmen concerning a meeting held in connection with the construction of the new post office in Hatboro. He pointed out that under the direction of Mr. Platten, all parties had been brought together in a meeting and a definite agreement had been reached concerning construction of the parking lot at the rear of the post office. It is expected

that ground will be broken for the construction of the new post office in the very near future.

Mr. Haigler questioned the status of the parking lot at the rear of the State Employment Office on York Road north of Monument Avenue. The Secretary advised that a letter had been sent to the property owner giving thirty days notice that the parking lot should be placed in a condition in accordance with the requirements of the zoning ordinance. It was recommended that enforcement provisions and penalties be brought to the attention of the property owner.

The following bills were presented by the Secretary and approved by the Council for payment:

<u>Vo.#</u>	<u>Vendor</u>		\$
806	Phila. National Bank, Trustee		569.61
807	Director of Internal Revenue		894.07
808	Comm. of Penna., SS Contrb. Fund		784.37
809	Roger Hillas		15.00
810	Howard Mosetter		15.00
811	J. Alvin Wolverton		31.50
812	Sinclair Refining Company		154.02
813	Allan F. Meade, Inc.		210.00
814	Markovich Auto Parts		5.47
815	Koppers Company, Inc., Tar Products Div.		185.76
816	W. F. Keegan & Co.		9.72
817	Industrial Products Co.		5.37
818	Homelite, Div. of Textron, Inc.		8.88
819	Hatboro Office Supply Co.		4.37
820	Jim Banes Ford, Inc.		14.80
821	C. & C. Supply Co.		32.91
822	Brooks Paint Store		9.30
823	Bux-Mont Office Supply Co.		4.14
824	American Pamcar, Inc.		23.51
825	Borough of Hatboro - Highway Aid Fund		1,709.13
826	P. S. Stauffer & Sons		483.75
827	Eureka Stone Quarry, Inc.		732.00
828	Ditto		114.80
829	Miller & Cornell, Inc.		403.16
830	Superfine Fuels Co.		53.65
831	Jim Banes Ford, Inc.		4.50
832	Philadelphia Electric Co.		12.10
833	Bell Telephone Co.		118.81
834	Miller & Cornell, Inc.		1,204.77
835	Miller & Cornell, Inc.		30.00
836	Penna. State Asso. of Boroughs		140.00
837	Hatboro Hardware		2.47
838	Taggart's Hardware		4.59
839	Hatboro Lumber & Fuel Co.		3.38
840	Accounting Adjustment		--
841	Cameron Sanitary Landfill, Inc.		124.00
842	Philadelphia National Bank, Corp. Trust Dept.		5,550.00

843	W. Z. Dudbridge	\$ 6.75
844	Phila. Electric Co.	894.25
845	Intelligencer Co.	10.00
846	Sinclair Refining Co.	151.62
847	Philadelphia Electric Co.	18.71
848	Hatboro Borough Authority	573.15
849	Upper Moreland-Hatboro Joint Sewer Auth.	11.04
850	Hatboro Borough Authority	520.71
851	Lou's Sunoco	61.10
851-A	Edward M. Happ	488.00
852	K. H. Riesselmann	120.00
853	Allan F. Meade, Inc.	60.00
854	Montgomery Office Equipment Co.	7.90
855	Harris Gramm, Inc.	791.78

A motion was made by Mr. Haigler, seconded by Mr. Rudolph and approved by the Council to adjourn the meeting, the hour being 10:50 P.M.

Thomas A. McClurkin
Secretary

Hatboro, Pa.
February 8, 1960

The regular meeting of the Borough Council of the Borough of Hatboro was held in the Municipal Building on the above date.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen Mosetter, Hillas, Brooks, Platten, Haigler, Rudolph and Gaither; Treasurer Gintowt, Burgess Williams, Engineer Haggerty, Solicitor Henderson, Police Chief Dudbridge, five residents and two press representatives.

The invocation was given by Burgess Williams.

President Platten opened and read the following bids for the purchase of a new 1960 police car.

(See opposite page)

The above bids were referred to the Public Safety Committee for review and recommendation at the next meeting.

Mr. Robert Green presented a request for the cooperation of the Borough officials in a celebration of Boy Scout Citizenship Day on Saturday, February 13. Plans have been made to have Scouts visit the Borough Hall, water company, tax collector and building inspector to observe the operation of Borough government. Mr. Platten assured him that Council agreed in this request.

The minutes of the Council meetings of December 7, December 14, December 17, December 28, 1959 and January 4 and January 11, 1960 were presented for approval. Following a review and corrections, a motion was made by Dr. Brooks, seconded by Mrs. Gaither and approved by the Council to accept and approve the minutes as corrected.

Treasurer Gintowt reported that the bank balance of the Borough account at January 31, 1960 was \$2,294.89. After paying out a payroll on February 4 and borrowing \$5,000 with income from various sources amounting to \$1022.92, the balance at this date is \$4,972.80. The approval of invoices at this meeting amounting to \$6,880.26 indicates that additional borrowing of \$5,000 will be required. A motion was made by Mr. Platten, seconded by Mr. Mosetter and approved by the Council to accept the above treasurer's report.

Mr. Platten pointed out that appointment of members to the Civil Service Commission and the Hatboro Borough Authority should be made.

A motion was made by Dr. Brooks to nominate Clarence MacKenzie, 25 Crooked Billet Road, Hatboro, to serve as a member of the Civil Service Commission. A motion was made by Mr. Haigler, seconded by Mrs. Gaither and approved by the Council to close nominations for the above position. Mr. Platten instructed the Secretary to cast

BIDS RECEIVED ON FEBRUARY 8, 1960 - FOR NEW POLICE CAR

Bidder & Make of Car	Chev. SMITH	Chev. SMITH	Ford CONROY	Chev. STOCKBERGER	Chev. STOCKBERGER
GROSS PRICE OF CAR	\$2896.25	\$2789.25	\$2692.00	\$2772.40	\$2888.30
LESS FEDERAL TAX	204.55	204.55	198.00	202.15	212.85
NET CAR PRICE	2691.70	2584.70	2494.00	2570.25	2675.45
LESS TRADE-IN ALLOWANCE	929.70	904.70	907.00	1123.63	1157.27
TOTAL COST OF CAR	1762.00	1680.00	1587.00	1446.62	1518.18
<u>EXTRA EQUIPMENT</u>					
2 SPOT LIGHTS INSTALLED	40.00	40.00	44.00	68.00	68.00
HEATERS & DEFROSTER	60.00	60.00	58.00	74.25	74.25
INSTALL METAL SCREEN	15.00	15.00	10.00	35.00	35.00
INSTALL FIRE EXT. BRKET.	--	--	1.00		
INSTALL SIREN UNDER HOOD	--	--	7.00		
INSTALL RED LIGHT ON ROOF	15.00	15.00	10.00		
TOTAL COST OF EQUIPMENT	130.00	130.00	130.00	177.25	177.25
TOTAL PRICE OF CAR & EQUIPMENT DLVD.	\$1892.00	\$1810.00	\$1717.00	\$1623.87	\$1695.43
ENGINE -- 6 or 8 CYL.	8	6	6	6	8
DAYS DELIVERY	45	45	30	45	45

3275

the required ballot for Mr. MacKenzie, there being only one nominee for the office.

Mr. Haigler nominated James Wybar, 347 Bonair Avenue, to serve as a member of the Hatboro Borough Authority, with his term to expire December 31, 1960. A motion was made by Mr. Rudolph, seconded by Mr. Haigler and approved by the Council to close nominations for the above position. Mr. Platten instructed the Secretary to cast the required ballot for Mr. Wybar, there being only one nominee for the position.

Dr. Brooks stated that due to pending development and planning in the Borough during the next few months, that the Planning Commission would need its full compliment of membership to render adequate aid to the Borough Council. He cited that Mr. A. C. Frattone had not attended four meetings of the Planning Commission held since October 1959 and recommended that Mr. Frattone be removed from the Planning Commission. A motion was made by Dr. Brooks, seconded by Mr. Haigler, and approved by the Council to discharge Mr. Frattone as a member of the Planning Commission.

Mr. Rudolph nominated and Mrs. Gaither seconded the nomination of Mr. Robert Schmitt, 29 Harding Avenue, Hatboro, to serve as a member of the Planning Commission for Mr. Frattone's unexpired term, to December 31, 1963. A motion was made by Mrs. Gaither, seconded by Dr. Brooks, and approved by the Council to close nominations for the above position. Mr. Platten instructed the Secretary to cast the required ballot for Mr. Schmitt.

Mr. Rudolph presented the report of the Police Department for the month of January 1960.

Mr. Rudolph presented a committee recommendation that the Secretary write to the Civil Service Commission and request that they advertise for resident and non-resident applications for the position of patrolman on the Hatboro Police force. Mr. Rudolph requested that the Commission emphasize benefits of the position such as uniforms furnished, and Pension Fund.

Mr. Rudolph reported concerning the case of Officer Charles Pitman. He advised that Burgess Williams had suspended Officer Pitman on January 29, 1960, as the result of a report from the Chief of Police that Officer Pitman had been sleeping while on duty. The Public Safety Committee endorses the action of the Burgess and recommends the dismissal of Officer Pitman as a member of the Hatboro Police force. Burgess Williams' letter of January 28, 1960 to Mr. Pitman advising of his suspension was read by the Secretary. Burgess Williams also read a letter dated February 7, 1960, received from Charles Pitman, tendering his resignation as a member of the Hatboro Police Department effective immediately. A motion was made by Mr. Hillas, seconded by Mr. Rudolph and approved by the Council to accept the resignation of Mr. Pitman.

Mr. Rudolph reported in connection with the enforcement of the

"No Left Turn" regulations at the intersection of York Road and Lehman Avenue. He advised that Chief Dudbridge has been directed to strictly enforce the regulations during the hours indicated and also give particular attention to wrong way parking on the streets of the borough. Dr. Brooks reported that enforcement of parking restrictions on Penn Street, between Byberry and Moreland Avenues, had been successful in eliminating violators.

Mr. Rudolph reported that no further information had been received in connection with public utility commission hearings on the taking over of the Hatboro and Warminster Taxicab area by the Willow Grove cab company. No action is recommended at this time.

Mr. Rudolph indicated that no further word has been heard from the Philadelphia Traffic Engineering Department concerning a comprehensive traffic survey of the Borough. The Secretary reported that he had telephoned Mr. Murray and had been advised that a report would be made to Mr. Platten within a few days.

Mr. Rudolph discussed the parking lot at the rear of the State Employment office on York Road, north of Monument Avenue. A temporary Certificate of Occupancy has been issued. However, the committee is not satisfied as to the all-weather quality of the lot surface. Definite action will be withheld until the performance of the surface during the spring season has been observed. Mr. Rudolph further reported that Chief Dudbridge has been asked to contact the manager of the office to arrange for the posting of signs to indicate that parking is available for patrons at the rear of the office.

Mr. Rudolph advised that the Public Health and Safety Committee has directed that "No Parking" signs be erected on the north side of Monument Avenue, from York Road west to Chester Avenue. This action will aid in keeping the entrance to the Employment office parking lot free and clear. Chief Dudbridge reported that in his contacts with the manager of the Employment office he was not successful in having signs installed in the office concerning rear parking. Mr. Rudolph directed that the Secretary write to the Harrisburg office of the Bureau of Employment Security to urge that instructions be issued from Harrisburg to the Hatboro office that appropriate signs be erected for the guidance of patrons of the Employment office.

Mr. Rudolph discussed the construction of the office building and dry cleaning establishment immediately north of the Pennypack Creek on the west side of south York Road. He pointed out that Mr. Wilcke had been requested to contact Mr. Meade regarding provisions to protect persons leaving the cleaning establishment building by means of a door in the south side of the building opening directly into the driveway. Construction of a curb has been suggested as a safety measure for those using the doorway. In connection with the construction of the office building, Mr. Rudolph reported that the Secretary has contacted the Department

of Forests and Waters in Harrisburg and has received a reply from the Power and Resources Board indicating that they have jurisdiction over construction in the area adjacent to the stream and that they require that a plan be filed with an application for construction within the right-of-way for the stream. The Secretary has already forwarded a copy of the letter with the application to Mr. Meade for his attention. It was agreed by Council to withhold the issuance of a Certificate of Occupancy for the office building until the Power and Resources Board has indicated their approval of the construction.

Mr. Rudolph reported that the Secretary has suggested that when building permits are issued a large card be issued along with the permit in a form suitable to be posted on the job in order that the checking of building permits may be more easily done. The committee has requested that prices for the printing be obtained.

Mr. Rudolph reported that the Secretary and Building Inspector have been instructed that all building permits issued in the future should include the requirement that "curbs and sidewalks are to be provided when required by the borough, at no cost to the borough".

Mr. Rudolph advised that the committee has directed the building inspector to prepare a report on the current status of all building permits issued and uncompleted in the borough and to supply weekly summary reports on all building permits issued in order that the committee may be fully advised as to construction work in the borough.

Dr. Brooks discussed the possibility that several major building projects will be carried on in the borough in 1960. He also indicated that the borough may not be able to properly inspect such large projects with their present employees and therefore recommended that the employment of an additional building inspector be considered with the cost of such service to be billed to the contractors involved. This recommendation was referred to the committee for consideration.

Mr. Rudolph reported that a communication has been received from the Planning Commission recommending that amendments be made to the Zoning Code in connection with the erection and maintenance of signs in the Borough. The Secretary was directed to provide copies for all the councilmen so that the recommended revisions may be given consideration in the March meeting of the committee.

Mr. Rudolph also advised that a letter has been received from the Planning Commission in connection with the control of architecture in new construction in the borough. The Secretary was directed to write to the commission signifying the committee's agreement in principle and recommending that the Commission draw up a program including such control.

In connection with the recommended changes to the sign ordinance, the Secretary was directed to send a copy of the proposed ordinance to Mr. Berlin representing the Business Men of Hatboro and advise Mr. Berlin of the date of the committee meeting when consideration of the amendment will be given.

Mr. Rudolph reviewed the latest correspondence in connection with the proposed sewer connection status of the industrial plants on Jacksonville Road in Warminster Township which have contributed to the contamination of the Pennypack Creek flowing through Hatboro. The letters indicate that a pumping station is planned for the area but is awaiting State approval before construction can be started. The Secretary read a copy of a letter sent by Burgess Williams to the Secretary of Health of Pennsylvania, urging that State approval of the proposed pumping station be expedited.

Mr. Rudolph reported that the Secretary has been instructed to contact the owners of the properties at the intersection of Fulmor Avenue and Warminster Road, to require that one large tree on each property be removed as they represent hazards to traffic entering Warminster Road from Fulmor Avenue.

Mr. Rudolph discussed the proposed action on the demolition of the Ivycrest Dairy building which was held over from the January meeting.

Mr. Mosetter withdrew from the Council meeting at this time.

Mr. Rudolph reported that the Public Health and Safety Committee recommends that the buildings be demolished and the debris removed from the premises. He indicated that he had a telephone call from Mr. Bready owner of the property, on February 8, that the sale of the property is possible but the owner has nothing definite at this time. Mr. Platten recommended that action be taken to declare the building a public nuisance and give the owner sixty days written notice to demolish and remove the building. If such action is not taken by the owner, the Borough will do so and render a bill to the property owner for the cost involved. Mr. Platten questioned the Police Chief concerning the condition of the building and the Chief confirmed the fact that the building is in a hazardous condition as to safety and possible fire and improper activities. Mr. Platten questioned if the Chief would recommend that action be taken to remove the hazard and Chief Dudbridge recommended such action. Mr. Platten pointed out that the building has been boarded up several times in the past few years but has always been broken open again. Since the recent boarding up several weeks ago one of the windows has already been pried open. A motion was made by Mr. Rudolph, seconded by Mr. Haigler and approved by the Council declaring the building of the Ivycrest Dairy Company, located at the intersection of Summit Avenue and Springdale Avenue, to be a public nuisance and directing that the owner demolish and remove the debris within sixty days from this date. Mr. Rudolph also recommended that the owner be requested to keep

the building boarded up during the sixty day period. The police department was also asked to check frequently on the building and endeavor to apprehend trespassers and impress on them the nature of the offense.

Mr. Rudolph reported that Mr. Karl Meyer, President of the Commissioners of Upper Moreland Township, had visited the committee meeting and had urged that prompt consideration be given to the installation of a traffic signal at the intersection of Warminster Road and Byberry Avenue. Mr. Rudolph reported that the committee will consider this matter and report at the next meeting.

Mr. Rudolph reported that the committee has asked Burgess Williams to again contact the Hatboro School Board in reference to holding a meeting to discuss the possibility of the borough taking over the Loller Academy building for use as a community building.

Mr. Rudolph presented the January reports of the Building Inspector, Plumbing Inspector and the Assistant Health Officer.

Mr. Rudolph reported that Mr. Clyde Penglase recently appointed to the Police Department had been sworn in and assigned to duty as of February 1, 1960.

Mr. Rudolph presented the following ordinance to ordain a "No Parking" area on the west side of Academy Road opposite the rear high school driveway as requested by the Hatboro School Board. A motion was made by Mr. Rudolph, seconded by Mr. Haigler, and approved by the Council to adopt the following ordinance:

ORDINANCE NO. 335

AN ORDINANCE AMENDING THE ORDINANCE REGULATING THE TRAFFIC IN, AND CERTAIN USES OF THE HIGHWAYS OF THE BOROUGH OF HATBORO, ADOPTED FEBRUARY 6, 1960.

Burgess Williams administered the oath of office and loyalty oath to Messrs. Robert Green, Dr. Todd and James Wybar, who had recently been appointed to positions in the borough government.

Mr. Haigler reporting for the Highway Committee, advised that the curb construction project on the west side of York Road at Crooked Billet Road, had been practically completed. Grading and sodding still remain to be done and will be taken care of as soon as weather permits.

A motion was made by Mr. Haigler, seconded by Mr. Hillas and approved by the Council, to authorize the Secretary to advertise for the taking of bids on March 14, 1960 for gasoline, oil, tar, asphalt, stone fuel oil and other maintenance supplies for the borough for the coming year.

Mr. Haigler reported that nothing new had been heard on the lining of the parking lot at the rear of the former Kratz property. The Secretary was instructed to contact Attorney North who represents the property owner, and urge that a decision as to the lining of the parking spaces be placed before the committee at their next meeting. In connection with this portion of the Moreland Avenue parking lot Dr. Brooks presented an objection to the accumulation of auto parts at the rear of the auto repair shop which gave an appearance of a dump operation.

Mr. Haigler reporting on street lighting presented a recommendation that 3-way fixtures be installed on various "T" intersections along York Road in the residential area. The recommendation was referred to Dr. Brooks for consideration at the next meeting of the Public Works Committee.

Mr. Haigler called attention to the deep shoulders on south Warminster Road resulting from the construction of a new topping on the road. The Secretary was directed to contact the State Highway Department to urge that the shoulders be built up to the road height to eliminate the dangerous hazard.

Mr. Haigler commented on the size of the culvert under York Road north of Byberry Road and asked that Engineer Haggerty and Mr. Stauch furnish him with all sketches and drawings available which might indicate the capacity of the culvert.

Mr. Haigler discussed the dismissal of a recent police department case in which the information had been filed with a justice of the peace who was not the nearest justice of the peace to the scene of the accident. Mr. Henderson discussed and cited other cases and suggested that a line be drawn through the borough as a guide to our police officers in the selection of a magistrate. Mr. Platten recommended that in filing complaints for violations of the Motor Vehicle Code care be exercised to place the complaints with the nearest magistrate.

Dr. Brooks in discussing the street lighting changes on York Road and the installation of new aluminum poles, indicated that advice had been received from the Philadelphia Electric Company indicating that the delay in installation had been caused by difficulty in obtaining proper fixtures. He indicated that if definite completion information is not received by February 29, 1960, he proposes that the borough render an invoice to the Philadelphia Electric Company for interest on the amount of \$2418, which was paid to the Electric Company in November 1959.

Dr. Brooks reporting for the Park Board indicated that the budget for the operation of the pool and park is being worked out and is available for inclusion in the borough budget. It is expected that the pool will open for weekends under the same plan as was used in 1959.

Mr. Brooks presented a recommendation that an amplifying system be installed in the council room. A motion was made by Mr. Brooks, seconded by Mr. Rudolph, to appropriate funds not to exceed \$450 for an amplifying system for the council room. Mr. Platten suggested that action on this matter be held up until the budget is completed. An amending motion to withhold action on this matter to await inclusion in the budget approval was made by Mr. Platten and seconded by Mr. Haigler with the vote indicated as follows: In favor--Messrs. Platten and Haigler; Against--Messrs. Brooks, Hillas, Rudolph and Mrs. Gaither. The amending motion was declared defeated. The vote on the main motion was taken with the following result: Against--Messrs. Hillas, Platten and Haigler; In favor--Messrs. Brooks, Rudolph and Mrs. Gaither. The vote on the motion was declared to be a tie and Burgess Williams was asked to cast his ballot. Burgess Williams indicated that he would defer voting on the motion until next month. The motion to approve the appropriation of funds for the amplifying system was declared not carried.

Mr. Platten reporting for the Finance Committee indicated that the Finance Committee had met on January 28. He reported that at the meeting the 1960 budget had been practically completed. He indicated that several items depend on other income, such as the Horsham Road project, the Lucy Barnes-Garner project and the Vick Chemical drainage problem. All of these items have been included in requests for County Aid on which decisions have not been announced by the County Commissioners.

Mr. Platten reported that in May 1959 an application had been made to the County for aid on the Horsham Road project. He had met in September with Mr. Cornell and had been advised that the application had been received too late for the June appropriation but would be considered in allocating the December appropriation. In early 1960 he had written to County Commissioner Wetherill reviewing our needs for County aid and asking for prompt action. A meeting had been arranged with the Commissioners on February 1, 1960 at which time all three projects were discussed. He reported that he had received no commitment at the meeting but expects that a prompt answer will be forthcoming. Mr. Platten advised that he had asked the County to assume all costs for the Horsham Road improvement with the exception of engineering fees and curb and sidewalk costs, which are assessable to property owners. Application for aid on the Lucy Barnes-Garner property and the Vick Company drainage projects have also been placed before the Commissioners. Mr. Platten indicated that in his opinion the County would prefer to take over Horsham Road as a County Road but the borough does not so desire as the new road after construction will not require maintenance for quite some time and the borough would lose the State aid received which is based on borough road mileage. He also indicated that snow removal by county forces is not handled as promptly as snow removal is handled on borough streets by the borough forces. Mr. Platten further indicated that county funds are also being sought for the improvement of

the storm culvert under York Road north of Byberry Avenue. The total asking for County aid is between \$70,000 and \$80,000.

Mr. Platten discussed the possibility of advertising for bids for the Horsham Road improvement project at the April meeting with a 60 day retention period for bids pending action by the the County Commissioners on our application for County aid.

In connection with the improvement of Horsham Road, Dr. Brooks questioned if a restriction on opening the road for a period of five years after completion could be enacted. Mr. Platten indicated that such a restriction could be enacted and indicated that the probable dates for construction would be from July 1 to November 30, 1960. Engineer Haggerty was instructed to notify all utilities having services in Horsham Road that such a restriction would be placed on making openings in the roadway after completion of the project. Council agreed that authorization for advertising of bids would be approved at the March meeting with bids to be opened in the April meeting for the Horsham Road project.

Mr. Platten reviewed the discussions of the drainage problems in the Vick Chemical project and indicated that he had written to Vick Chemical Company on January 18. A reply received and read by the Secretary indicated that Vick does not want to agree to be bound to put in a pipe under Fulmor Avenue or Warminster Road larger than 48". They further indicate that they desire to use the present drainage ditch south of Fulmor Avenue with an open drainage ditch running north from Fulmor Avenue. If at some time in the future the borough desires to divert storm water south along the railroad and through the Vick Chemical property, they do not want to be required to contribute to the cost of the project.

The Secretary read a letter dated February 3, 1960 from the Vick Chemical Company advising that Vick will take care of all water created by them flowing from their property, plus a portion or all of the water now flowing onto their property from the northeast direction. Any water and drainage problems encountered or created by other property owners should be taken care of by those property owners in the same manner as Vick intends to do with their water. Present and future needs require a 48" pipe under Fulmor Avenue and Warminster Road.

Mr. Platten further pointed out that if an agreement on future water is required now from Vick Chemical Company, only Vick Chemical Company can decide whether they will build in the borough. Their letter also pointed out that they are not asking for any special consideration such as tax reduction, use of borough facilities, or similar special privileges prior to locating in the borough. Mr. Platten advised that he had pointed out to them that all developers within the borough limits are required to construct streets, sidewalks, curbs, storm drains and other

usual improvements. He further pointed out that the council was not concerned with the actual use of the property, whether it be light industrial, commercial or residential but merely that it be put to use. He also advised that a decision is needed by Vick Chemical Company by the end of February but that the present overall drainage survey being conducted will not be completed for approximately 20 days. At the completion of the survey the drainage picture for the borough would be much more clear and definite.

Mr. Rudolph pointed out that he believes all the facts are now known as to the drainage costs and could see no value in waiting for the results of the overall drainage survey as they would add nothing to the problem. Mr. Platten indicated that if no diversion of storm water is ever needed south through the Vick property, the possible future liability could be eliminated from the negotiations. Mr. Haigler recommended that Vick Chemical Company be told that until the survey is completed they will not have to agree to contribute beyond the cost of handling their own water. Mr. Hillas expressed the opinion that it appears reasonable to expect them to take care of their own water as of this date plus their future water. Mr. Platten pointed out that they have not agreed to pipe the storm water to the creek but instead have agreed to using open trenches. Mr. Hillas stated that future building of the Vick Chemical property might cause flooding of the properties south of Fulmor Avenue but cited that disposition of such water would be Vick's responsibility and not the borough's. Mr. Platten pointed out that when future development is made by Vick, it may be necessary to require that the storm drain be piped completely to the creek. He called attention to numerous complaints received during rain storms concerning presently existing storm water courses in the borough. Mr. Hillas pointed out that any work completed on the storm drainage by Vick would be an improvement to the conditions existing presently, south of Fulmor Avenue.

A motion was made by Mrs. Gaither, seconded by Mr. Rudolph, to advise Vick Chemical Company that the proposal contained in their letters of February 1 and February 3 is accepted provided that the question of piping Vick's storm water to Fulmor is left open and that the question of a joint drainage system is also left open and that in no event will their cost be in excess of the cost for piping their own drainage water. The vote on the motion was: In favor--Messrs. Brooks, Platten, Haigler, Rudolph and Gaither; Against--Mr. Hillas.

Mr. Platten discussed the requiring of the construction of curbing along Warminster Road for the Vick Chemical property. A motion was made by Mr. Rudolph, seconded by Mr. Haigler and approved by the Council, to notify Vick Chemical Company that curbing would be required along Warminster Road from the north end of the property south to a point opposite the southern-most end of the building and to encourage complete curbing of the Warminster

Road frontage if possible.

Mr. Platten, reporting for the Finance Committee, indicated that a meeting of the committee would be held next week to work on the 1960 Budget.

Mr. Platten advised that the ordinance required for setting up the Employees' Pension Plan would be presented for adoption at the March Council meeting.

Burgess Williams advised that he was working on the using of the Loller School building as a community building.

A motion was made by Mr. Haigler, seconded by Dr. Brooks and approved by the Council to re-enact Ordinance No. 256 covering the 1% real estate transfer tax for the year 1960 in its present form.

Solicitor Henderson reported on current litigation and advised that the Murphy case was tried on January 11, 1960 before the Jury-of-View and that a decision is expected shortly. He also pointed out that appeals on the two gasoline station applications, rejected by the Zoning Board of Adjustment, have been filed with the Court of Common Pleas. He advised that two other zoning cases possibly will go to court in the very near future. In connection with all of the above cases he cited that they all require legal services not included in the yearly retainer fee as agreed at the time of first appointment. Dr. Brooks recommended that a budget appropriation be made to handle appeals in the gasoline station cases.

Engineer Haggerty reported that the engineer for the Lucy Barnes-Garner development had met with him and is working out plans for the construction of the parking lot. He indicated that he recommended that a complete plan of development be prepared for submission to the Council.

The Secretary presented the agreement with Leonard Polis in connection with the proposed apartment house on Horsham Road and the deed of dedication for the widening of Horsham Road which was handed to Solicitor Henderson for recording at the court house.

The Secretary reported that an application for a building permit had been filed for an addition to the Santerian Department Store on east Moreland Avenue. Zoning Code requirements indicate that parking is to be provided for an addition of this size. The Secretary questioned the effect of Mr. Santerian's participation in the Garner-Lucy Barnes parking lot proposal in connection with the issuance of the building permit. Mr. Platten recommended that an agreement be signed by Mr. Santerian that he will pledge a sum of money to provide parking if the Garner-Lucy Barnes development does not come about. Mr. Platten further pointed out that in any event Mr. Santerian would have to clear through

the Zoning Board of Adjustment in connection with the current parking requirements in the Zoning Code. A motion was made by Mr. Brooks, seconded by Mr. Haigler and approved by the council, to refer the building permit application to the Public Health and Safety Committee with authority delegated to the committee to make a prompt decision.

The Secretary presented a petition received from Cross Realty Company, Leonard Polis - President, requesting a change in zoning classification for the rear portion of the apartment house property at 133 Byberry Avenue, from Residential C classification to Residential D- parking classification. The petition also included a request for a change of zoning for the former Cornell & Baker building property, currently owned by Mrs. Weber, from Retail to Residential C classification.

A motion was made by Dr. Brooks and seconded by Mr. Haigler, to adopt the following resolution to set March 14, 1960 as the hearing date for a zoning hearing in connection with the above petition.

RESOLUTION

The Council of the Borough of Hatboro hereby resolves:

1. That a revision of the Zoning Map of the Borough of Hatboro to provide for the reclassification of a parcel of ground at the rear of 133 Byberry Avenue, from R-Retail to C-Residential and another parcel from C-Residential to D-Residential Parking.
2. That February 29, 1960 at 8 P.M. o'clock be fixed as the time and the Municipal Building, Hatboro, as the place of a public hearing to be held on the said proposed revision.
3. That notice of the proposed revision and of the time and place for the public hearing thereon be given by publication by the Secretary of notice thereof in a newspaper of general circulation in the Borough.
4. The form of the said notice shall be as follows:

"Notice is hereby given that the Council of the Borough of Hatboro will consider at a Zoning Hearing to be held February 29, 1960 at 8 P.M. at the Municipal Building, Hatboro, the following:

Petition of CROSS REALTY COMPANY, 133 Byberry Avenue, Hatboro, Pennsylvania, to amend the Zoning Map of Hatboro to reclassify a parcel of ground from R-Retail to C-Residential and another parcel from C-Residential to D-Residential Parking, both located at the rear of 133 Byberry Avenue, Hatboro, Pennsylvania.

Resolution Continued

A Public Hearing on the proposed revision will be held at the Municipal Building, Hatboro on February 29, 1960 at 8 o'clock, at which time full opportunity to be heard will be given to any citizen or parties in interest attending such hearing."

Copies of the proposed revision are on file in the office of the Secretary in the Municipal Building, where same may be examined.

5. That notice of the proposed revision also be given by the posting upon said premises affected by the proposed change a copy of the foregoing notice at such place or places as the Zoning officer directs.

6. That the proposed revision be submitted to the Planning Commission with the request that a report be submitted to Council with respect to its opinion regarding such revision prior to the date of the regular meeting of Council at which said revision is to be considered.

A motion was made by Mr. Platten, seconded by Mrs. Gaither, to amend the above motion to set the hearing date as February 29, 1960 with a vote of Council as follows: In favor--Messrs. Hillas, Platten, Rudolph and Gaither; Against--Messrs. Haigler and Brooks. The motion with amendment was declared approved.

The following bills were presented by the Secretary and approved by the Council for payment:

<u>Vo.#</u>	<u>Vendor</u>		
856	Armor Business Machines Co.	\$	6.00
857	Brooks Paint Store		18.62
858	Jim Baner Ford, Inc.		23.71
859	Bux-Mont Office Supply Co.		54.75
860	Jim Baner Ford, Inc.		53.93
861	Bell Telephone Co.		114.16
862	C & C Supply Co., Hatboro		56.32
863	Cameron Sanitary Landfill, Inc.		108.00
864	Columbia Ribbon & Carbon Mfg. Co., Inc.		9.23
865	Commercial Concrete Company		75.90
866	Eureka Stone Quarry, Inc.		209.65
867	Deluxe Check Printers, Inc.		14.73
868	Erwin Printing, Inc.		20.75
869	Fidelity Cleaning Supply Co.		7.45
870	Hatboro Office Supply Co.		28.00
871	Hatboro Hardware		3.28
872	Wm. Hobensack's Sons		19.49

873	Knox Henderson	250.00
874	Hatboro Borough Authority	564.83
875	Heil Equipment Co.	100.24
876	Haggerty, Boucher & Hagan, Inc.	40.00
877	I. M. Jarrett	7.75
878	I. M. Jarrett	11.88
879	The Intelligencer Company	34.75
880	Keystone Hi-Way Traffic Equip.Co.	144.47
881	Kelly-Springfield Tire Co.	58.42
882	Fred Krauskopf & Asso.	14.00
883	Lou's Sunoco	17.45
884	Markovich Auto Parts	70.04
885	E. S. McVaugh	13.84
886	Matt's Esso Service	2.40
887	John A. Massimilla	50.00
888	Miller & Cornell, Inc.	75.00
889	Martin Century Farms	44.50
890	Philadelphia Electric Co.	103.90
891	Philadelphia Electric Co.	10.00
892	Ditto	12.10
893	"	894.25
894	A. Pomerantz & Co.	34.00
895	K. H. Riesselmann	24.00
896	Sinclair Refining Co.	277.17
897	Smith Chevrolet Co.	64.81
898	Taggart's Hardware	21.77
899	Township of Upper Moreland	163.50
900	J. Alvin Wolverton	2.00
901	Weldon Auto Supply Co., Inc.	22.78
902	Accounting Adjustment	--
903	Miller & Cornell, Inc.	2,926.44

A motion was made by Mr. Hillas, seconded by Dr. Brooks, and approved by the Council to adjourn the meeting, the hour being 11 P.M.

Thomas A. McClurken
Secretary

Hatboro, Pa.
February 29, 1960

A public hearing was conducted by the Borough Council of the Borough of Hatboro on the above date in the Council Room to hear the following petition:

The petition of Cross Realty Company, 133 Byberry Avenue, Hatboro, Pa., to amend the zoning map of Hatboro, to reclassify a parcel of ground from R-Retail to C-Residential and another parcel of ground from C-Residential to D-Residential parking, both located at the rear of 133 Byberry Avenue, Hatboro, Pa.

The above notice was advertised in the Daily Intelligencer newspaper on February 12, 1960. Copies of the above notice were posted on the property by the building inspector on February 12, 1960, and copies mailed by first class mail to all residents and property owners within 500' of the property.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen Hillas, Mosetter, Brooks, Platten, Haigler, Rudolph and Gaither; Treasurer Gintowt, Solicitor Henderson, Burgess Williams; Mr. Leonard Polis, applicant and his attorney Mr. Darlington; two press representatives and approximately 7 residents.

The invocation was given by Burgess Williams.

Burgess Williams administered the oath of office and loyalty oath to Robert Schmitt, a newly appointed member of the Planning Commission.

The advertisement for the above hearing was read by the Secretary.

Mr. Platten called on Mr. Darlington to discuss the petition and explain why request should be granted. Mr. Darlington explained that the present frontage of the property on Byberry Avenue was changed from Retail to Residential-C to permit the construction of a 26 unit apartment house. In order to provide the required lot area per apartment, additional ground at the rear of the property was purchased amounting to approximately 13,000 sq. ft. making a total lot area for the property of 78,000 sq. ft. The proposal includes the purchase of a parcel of ground of approximately 3,000 sq. ft. presently zoned retail and owned by Mary Weber, containing an unoccupied one story building which in Mr. Polis' opinion is an eye-sore to the neighborhood. The petition calls for a change of zoning for the parcel of 3,000 sq. ft. owned by Mrs. Weber from Retail Zoning to Residential-C Zoning to be added to the apartment house property. The petition also asks that the parcel previously added to the apartment house property, consisting of approximately 13,000 sq. ft., be zoned Residential-D parking so that a commuter parking lot may be constructed and operated by Mr. Polis. Mr.

Darlington further pointed out that the construction of a commuter parking lot in this area would help to solve the borough's problem of commuters parking on borough streets. Access to the parking lot would be on a newly constructed driveway along the western edge of the apartment house property adjoining the railroad right-of-way.

Mr. Platten questioned if Mr. Polis and Mr. Darlington were familiar with the right-of-way agreement which was required as a condition to the change of zoning to Residential-C prior to the construction of the apartment house. Mr. Polis advised that he had not signed such a right-of-way agreement. The Secretary produced the file on the subject and it was noted that the agreement had been drawn up but had not been signed to date.

Dr. Brooks quoted from the Council minutes of May 5, 1958 which indicated that the ordinance changing the zoning classification to permit the construction of the Eleanor Court Apartment house, had been adopted by the Council, but that the Secretary had been instructed to withhold advertising of the ordinance until the Release of Damages agreement had been received. The records indicated that this requirement had not been complied with as the ordinance had been adopted, advertised and recorded and become effective without the formal signing of the agreement.

Mr. Platten indicated that before further consideration could be given to the petition for the change in zoning that the right-of-way agreement be signed immediately. Copies of the right-of-way agreement were submitted to Mr. Polis and Mr. Darlington for review.

Dr. Brooks recommended that in future considerations of this type, that negotiations be held with property owners and not with real estate agents.

Mr. Haigler presented a recommendation that a resolution be adopted to indicate that the borough council will consider a change in the zoning ordinance to require side yards for multiple dwellings in the Residential-C districts. He further recommended that the problem be referred to the Planning Commission for study and recommendation.

Mr. Platten called attention to Section 504-G of the Zoning Code which indicates that multiple dwellings are permitted in the Residential-C district subject to approval of the Board of Adjustment. The words "subject to approval" contain no definite requirement and should be indicated as requiring a special exception. Another requirement of the Zoning Code indicates that multiple dwellings may not exceed two or three stories in height. With a purchase of a new ladder truck by the fire company, which is now pending, it may be possible to ease this restriction.

A motion was made by Mr. Haigler, seconded by Dr. Brooks and approved by the Council to adopt the following resolution:

RESOLVED, To refer to the Planning Commission for review and recommendation, the establishment of side yard requirements for multiple dwellings, the redesignation of a height regulation for multiple dwellings, review the language and wording of Sections 504-G, 503-G and 501-E, as to permitted uses subject to the vote of approval of the Board of Adjustment.

Mrs. Gaither questioned the need for fire escapes for second floor apartments in the borough. Mr. Wilcke explained that the Department of Labor and Industry of the State requires metal fire escapes for apartments on third floors but makes no such requirement for second floor apartments.

Mr. Darlington advised that he does not object to Mr. Polis signing the right-of-way agreement provided the 34' cartway called for specifically be referred to as being located adjoining the railroad right-of-way instead of the railroad tracks. The necessary changes in the wording of the agreement were noted by Mr. Henderson and inserted on the agreement.

In a further discussion of the two zoning changes required to permit the construction and operating of the parking lot, Mr. Platten suggested that all of the area to be used for parking be changed to D-Residential parking. The requirements of the ordinance covering the D-Residential parking area were reviewed in this connection. Mr. Haigler also questioned concerning the reduction in the lot area per apartment unit and amount remaining for the Eleanor Court property if the requested zoning change was made. Mr. Darlington indicated that after the change in zoning there would be remaining for the apartment house property 67,133 sq. ft. which equals 2580 sq. ft. per apartment unit. Mr. Platten also questioned the use of the portion of the C-Residential zoned property for the access driveway to the parking lot.

Following a discussion Mr. Platten asked what the opinion of the councilmen would be in approving a plan which would require zoning board action to approve a reduction in the required lot area per apartment unit. He indicated that he favored retaining the required lot area as required by the Zoning Code. Mr. Platten indicated his opinion in favor of redrawing the lines of the combined properties to retain the area required for the 26 apartment units and to rezone all area not required for the apartment house to Residential-D parking to be used for the commuter parking lot. Mr. Polis discussed the existing storm water creek on the north border of the property and indicated that the cost of piping such a stream would prohibit profitable use of the ground gained. In response to Mr. Platten's question, Mr. Polis indicated that the entrance and exit for the parking lot would be from Byberry Avenue, that a gate operated control would be used and that the parking lot would be properly lighted, and a macadam driveway would be installed. Mr. Platten questioned if borough specifications of 8"

base and 2" top could be used on the parking lot entrance with construction in accordance with borough specifications. There was a further discussion of the difference in grade between the proposed driveway and the future construction of Jacksonville Road past the property. Mr. Polis questioned if the grade of the proposed driveway would be the same as the future street and Mr. Platten indicated that such a grade should be established by the borough engineer and followed with all construction as this area may in the future become a borough street.

Mr. Chappell of the Zoning Board pointed out that a portion of the driveway is required under the Zoning Code to be used as parking area for the apartments at the south end of the apartment house as no garages are provided in the basements of the apartments.

Mrs. Gaither questioned the percentage of reduction required in lot area to which Mr. Polis advised that the percentage would be 14%. Mr. Polis further pointed out that many other communities do not require as much as 3,000 sq. ft. of lot area for apartments.

Mr. Klein of the Planning Commission questioned the action of the petitioner in that before the construction of the apartment house, he had been required to purchase additional ground to meet the zoning needs and that now the petitioner is asking for a change of zoning to reduce the required lot area for apartments back to the original size of the property. In this connection Mr. Darlington pointed out that the parking congestion in the area indicates a need for off-street parking and that in order to go ahead with this project a large enough area must be retained for parking to keep it profitable. Dr. Brooks pointed out that the time the original request came before Council for the construction of the apartments, 32 units were contemplated and it was claimed that any reduction in the number of units would make the project unprofitable to build and operate. The final proposal ended with 26 units being built with the lot area requirement for that number of apartments being met. Mr. Rudolph observed that the present legal area for parking under the Zoning Code affords the parking of only 34 cars. Mr. Polis indicated that a development of this type for only 34 cars would be unprofitable. Mr. Klein questioned if a fence could be placed along the railroad side of the property and Mr. Polis indicated that such a fence could be constructed if required.

Mr. Platten in pointing out that the area of the ground occupied by the creek at the north end of the property being unusable for any practical purposes, suggested that a concession be made for an equal amount of area of the apartment house property to be used for parking purposes. Mr. Platten further indicated that due to the urgent need for additional off-street parking, it would be advisable to zone all of the ground to be used for the proposed parking lot as class D-Residential parking which

will allow only a parking use plus any C-Residential uses. Mr. Darlington indicated that if the area available for parking is reduced from that of the area indicated on the plan, it will be necessary for Mr. Polis to recompute the cost of development and the possible income to determine if the project is profitable. Mr. Haigler recommended that a review of the arrangement of the parking spaces and the using of slightly smaller spaces for each car, would probably increase the total number of parking spaces available to make the venture more attractive.

Mr. Brooks recommended that the right-of-way agreement from 1958 be signed first before any further negotiations are carried on as to the arrangement of the zoning areas or development of the parking lot. Mr. Platten advised Mr. Polis that pending consideration by the Planning Commission of the proposal, the Council would withhold consideration of the matter until the 1958 agreement has been signed and recorded.

Mr. Klein indicated that the Planning Commission would be meeting on March 1, 1960 and the Secretary advised that all plans and papers available at this meeting will be available for the Planning Commission meeting. Mr. Klein officially invited Mr. Polis and Mr. Darlington to attend the Planning Commission meeting in order that all facts may be available to aid them in their decision in the matter.

Mr. Chappell questioned if the ordinance is approved as requested and the change of zoning is approved, would the division of zoning carry as a subdivision of the property involved. He also questioned if at any future date the property were again sold, would the property that is now being separated from the apartment house, be required to revert back to the apartment house ground. Mr. Henderson indicated that such a plan could be accomplished through a separate agreement. Mr. Platten indicated that the only changes being accomplished at this time are zoning classification changes, which would carry forward to new owner if the property were sold at any time in the future.

Mr. Platten summarized the present status of the application in indicating that Mr. Darlington and Mr. Henderson are to draw up an adjusted form of agreement with definite indications as to the location of the 34' cartway which represents the entrance to the parking lot. The revised agreement is to be signed by the officers of the Cross Realty Company and forwarded to the Borough before further consideration is given to the application by the Borough Council. The application is also to be referred to the Planning Commission for consideration at their meeting on March 1, 1960 with the applicants invited to attend the meeting.

Burgess Williams presented the following resolution for adoption by the Borough Council in connection with the fiftieth anniversary of the founding of the first service club of Hatboro, the Hatboro Neighbors.

A RESOLUTION

In the spring of 1910 Hatboro's first service club was organized under the name of The Eastboro Neighbors. The membership was limited to women of the community.

From the beginning this group had a keen interest in the civic affairs of our borough.

The Borough Councils of the past found the Neighbors always alert on ideas concerning community betterment. The pressure the Neighbors brought upon an earlier borough council brought into being Hatboro's first trash collection. This council acquiesced to the demands of the Neighbors and instituted our first regular trash day, viz. once a year in the first week in May.

The Neighbors pushed for signs to mark the names of our streets. The club took it upon itself to mark several of our historical buildings with bronze plaques.

The Neighbors always led the way, directing the citizens of Hatboro toward the good things for our borough.

In view of the fact that a half a century of zeal on the part of the Neighbors has made Hatboro a finer place in which to live and because the Neighbors always gave Hatboro much favorable publicity and helped maintain a civic pride in our town, the Borough Council of Hatboro, Pa. extends its congratulations to The Neighbors of Hatboro for the fine services it has performed in the fifty years of its noteworthy existence.

The Borough Council also sends its best wishes to the Neighbors for many more useful years of service to this community.

We, the members of The Borough Council of Hatboro, Pa., extend our highest commendation to all members of The Neighbors upon its 50th birthday this March 2nd, 1960.

HAPPY BIRTHDAY TO YOU.

A motion was made by Mr. Haigler, seconded by Dr. Brooks and approved by the Council to adopt the above resolution.

A motion was made by Mr. Mosetter, seconded by Mr. Hillas and approved by the Council, to adjourn the meeting, the hour being 9:50 P.M.

Thomas A. McClurken

Hatboro, Pa.
March 14, 1960

The regular meeting of the Borough Council of the Borough of Hatboro was held in the Municipal Building on the above date.

The meeting was called to order at 8 P.M. by President Flatten with the following present: Councilmen Mosetter, Hillis, Brooks, Flatten, Waigler, Rudolph and Gaither; Burgess Williams, Treasurer Sintow, Engineer Berkerty, Chief of Police Ludbridge, Solicitor Berderson, Building Inspector Wilcox, sixteen residents and three press representatives.

The Invocation was given by Burgess Williams.

President Flatten called for any further bids for gasoline, oil, stone, tar, asphalt and other maintenance department materials for which public advertisement had been made for the opening of bids at this meeting. No further bids were submitted from the audience.

The Secretary advised that the envelope containing the bid of Montgomery-Bucks Farm Bureau, Souderton, Pa. had not been properly marked and had been opened in error. The Secretary advised that the bid had not been disclosed to anyone. A motion was made by Mr. Waigler, seconded by Mr. Rudolph and approved by the Council to indicate that council waived the failure of the bidder to note on the outside of the envelope that a bid was enclosed.

The Secretary opened and publicly read the following bids for the purchase of stone, tar, gasoline, fuel oil and other maintenance department products for the coming year starting April 1, 1960.

Koppers Co., Inc.

C. Coal & Water Gas Tar Prod.

DH2 or DH3

\$ 0.215 - Tarmac

H2 or H3

0.215 - Tarmac

D. Asphalt Products

Penna. State Highway Spec.:

C-2

\$ 0.1925 Atlantic Ref.Co.

H-1

0.1925 Ditto

B.M.-1

0.1925 "

Bituminous Service Co.

C. Coal & Water Gas Tar Prod.

DH2 or DH3

0.235 Koppers Co.Inc.

H2 or H3

0.235 Ditto

Philgite Co.

C. Coal & Water Gas Tar Prod.

DH 2 or DH3

22.6¢ Philgite

H2 or H3

22.6¢ Ditto

W. R. CROASDALE

C. Coal & Water Gas Tar Prod.

DH2 or DH3

30.228 Kop

H2 or H3

0.228 Kop

D. Asphalt Products-Penna State Hwy Spec.:

H-2

0.197 Atlantic

H-1

0.197 Ditto

B.W.-1

0.197 "

UNION PAVING CO.

B. Bituminous Concrete

HF - Black Top

5.80 At Plant

6.40 Delvd

Cold Mix Type Pa. State

Stock Pile Spec.

7.25 At Plant

7.85 Delvd

HIGHWAY ASPHALT COMPANY

B. Bituminous Concrete

HE - Black Top

5.80 At Plant

6.55 Delvd

HE-Bitum.Concr.

Cold Mix Type Pa. State

Stock Pile Spec.

7.40 At Plant

8.15 Delvd P.S.P.

MARCHESE BROS. INC.

D. Asphalt Products-Penna State Highway Spec.:

C-2

.185 Cities Servc

H-1

.185 Cities Servc

B.M.-1

.185 Ditto

G. & W.F. CORSON

A. Crushed Stone, etc.

Penna. No. 1B screenings

1.95 At Plant

Stone 1/8" to 5/8"

2.75 H & S

No. 2-Stone 3/8" to 1 1/4"

1.85 At Plant

2.65 H&S

No. 4-Stone 1 1/2" to 4"

(Ballast)

1.60 At Plant

2.40 H&S

GENERAL CRUSHED STONE CO.

A. Crushed Stone etc.

Penna. No. 1B Screenings

2.00 At Plant

Stone 1/8" to 5/8"

3.10 H&S-Trap Rock

No. 2 - Stone 3/8" to 1 1/4"

1.75 At Plant

2.85 H&S-Trap Rock

No. 4 - Stone 1 1/2" to 4"

(Ballast)

1.60 At Plant

2.60 H&S-Trap Rock

General Crushed Stone Co. Cont.

B. Bituminous Concrete
HE - Black TopCold Mix Type Pa. State
Stock Pile Spec.5.80 At Plant-Amiesite
6.95 Dlvd
7.25 At Plant
8.15 Dlvd - Stock-ItMILLER QUARRIES, INC.

A. Crushed Stone, etc.

Penna. No. 1B Screenings
Stone 1/8" to 5/8"

No. 2-Stone 3/8" to 1 1/4"

No. 4-Stone 1 1/2" to 4" (Ballast)

2.00 H&S
1.50 At Plant
1.75 H&S
1.30 At Plant
1.75 H&S
1.30 At PlantB. Bituminous Concrete
HE Black TopCold Mix Type Pa. State
Stock Pile Spec.5.70 At Plant
6.30 Dlvd
7.00 At Plant
7.60 DlvdEUREKA STONE QUARRY INC.

A. Crushed Stone, etc.

Penna. No. 1B screenings
Stone 1/8" to 5/8"

No. 2 - Stone 3/8" to 1 1/4"

No. 4 - Stone 1 1/2" to 4" (Ballast)

1.35 At Plant
1.75 H&S
1.75 H&S
1.35 At Plant
1.70 H&S
1.30 At PlantB. Bituminous Concrete
HE - Black TopCold Mix Type Pa. State
Stock Pile Spec.5.70 At Plant
6.10 Dlvd
7.00 At Plant
7.45 DlvdR. L. STOTT CO.

E. Gasoline

Price per gallon

TW .1610-.0291
.1319 per gal
plus taxesFederal Octane Rating
Trade Name93
Cities Service

F. Motor Oil - Grade #1

Trade Name - Cities Servc C-300
Grade #2

.53 per gal + tax

Trade Name - Cities Servc C-300
Grade #3

.53 per gal + tax

Trade Name - Cities Servc C-300

.53 per gal + tax

G. Oil Burner Fuel Oil

Price

TW .136 per gal
.1069 per gal

Less .0291 gal -

Trade Name - Cities Service

SINCLAIR REFINING CO.

E. Gasoline

Price per gallon

TW .1610 - .0332

.1278 per gal plus taxes

Federal Octane Rating

92.5

Sinclair H-C Gasoline

F. Motor Oil

Grade #1 - Cities Servc C-300

.53 per gal + tax

Grade #2 - Ditto

Ditto

Grade #3 - "

"

G. Oil Burner Fuel Oil

Net .1152 per gal (exc taxes)

Trade Name - Sinclair Superflame Medium

F. C. HAAB CO., INC.

G. Oil Burner Fuel Oil

TW .1360 per gal - Less .0182 gal - .1178 per gal

Trade Name - Gulf Oil

GROVE FUEL OIL CO.

G. Oil Burner Fuel Oil

TW .0210

Trade Name - Grove Fuel Oil Co.

MONT-BUCKS FARM BUREAU

G. Oil Burner Fuel Oil

11.9 - (13.6¢ per gal, less 1.7¢ per gal)

Trade Name - Gulf

F-M OIL COMPANY

E. Gasoline

Price- TW .211 - taxes (per gallon)

Federal Octane Rating - 94.0 Min.

Trade Name - Chevron Regular

F. Motor Oil

Grade #1 - RPM Motor Oil - .78 per gal

Grade #2 - RPM Delo Special - .83 per gal

Grade #3 - RPM Delo Supercharge #1 - .94 per gal

G. Oil Burner Fuel Oil

DTW \$0.137 gal - Less .0135 per gal

Net .1235 per gal

Trade Name - Chevron #2 Fuel Oil

SACHEM PETROLEUM CO.

E. Gasoline

Price per gallon - 025 off TW

Federal Octane Rating - 93

Trade Name - Richfield Hi-Octane

F. Motor Oil

Grade #1 - Richfield Tenol .70 per gal*

Grade #2 - Richfield Tenol .70 per gal*

Grade #3 - Richfield Super Tenol .80 per gal*

*Plus 6¢ per gal Fed Tax

ATLANTIC REFINING CO.

E. Gasoline

Price per gallon - TW .161 per gal + taxes

Federal Octane Rating - 93

Trade Name - Atlantic Gasoline

F. Motor Oil

Grade #1 - Atlantic Ultramo - .58 per gal full bbl
.78 Ditto (5 gal bkt)Grade #2 - Atlantic Ultramo S-1 - .70 per gal full bbl
.90 per gal (5 gal bkt)Grade #3 - Atlantic Ultramo 20W-40 - 1.16* full bbl
(*" taxes)GULF OIL CORP.

E. Gasoline

Price per gallon - .1863 Less .0247 - .1363 per gal

Federal Octane Rating - 94.0 Min.

Trade Name - Chevron Regular

F. Motor Oil

Grade #1 - RPM Motor Oil - .78 per gal

Grade #2 - RPM Delo Special - .83 per gal

Grade #3 - RPM Delo Supercharge #1 - .94 per gal

Mr. Platten directed that the above bids be referred to the Highway Committee for review and recommendation with the awarding of contracts to be made at the April Council meeting.

Council minutes of the meetings of February 8 and 29 were presented for review. A motion was made by Dr. Brooks, seconded by Mrs. Gaither and approved by the Council to approve the minutes as submitted.

Treasurer Gintowt presented the report of the Treasurer for the month of February and indicated that the balance on hand at this date is \$3865.04. Noting that payrolls are to be paid and bills presented this evening to be approved for payment, he recommended that additional borrowing in the amount of \$10,000 be approved and arranged for. A motion was made by Mr. Hillas, seconded by Mr. Mosetter and approved by Council to accept the report of the Treasurer.

Mr. Rudolph reporting for the Public Health and Safety Committee, presented the report of the Police Department for the month of February.

Mr. Rudolph, in discussing the bids received at the previous meeting for the purchase of a new police car, indicated that Chief Dudbridge had contacted both Smith Chevrolet, local Chevrolet agent and Stockburger Chevrolet of Newtown, Pa., in reference to the arranging for service for the police car to be done locally. Mr. Dudbridge indicated that major repairs involving factory adjustments

can be handled through the local Chevrolet dealer. However, the free service up to 3,000 mile checkup will have to be done by Stockburger Chevrolet, the low bidder. Mr. Rudolph recommended that the bid for the 8 cylinder Chevrolet, 1960, 4 door sedan of Stockburger Chevrolet, Inc. of Newtown, Pa. be accepted. A motion was made by Mr. Rudolph, seconded by Mr. Haigler and approved by Council, to award the bid for the new police car to Stockburger Chevrolet, Inc., Newtown, Pa. for an 8 cylinder, 4 door, Chevrolet sedan, 1960 Model, in accordance with bid of February 8, 1960 for a total price of \$1695.43.

Mr. Rudolph discussed the need for conducting a Civil Service Examination in order that another appointment be made to the Police Department. He indicated that the Committee recommended that residents from outside the Borough of Hatboro be permitted to take the examination and be appointed to the position. In this connection it was pointed out that Senate Bill No. 326 introduced in the 1959 Session of the State Legislature provided that examinations conducted by Police Civil Service Commissions for establishing eligibility lists for police appointments in boroughs be permitted to accept residents outside of boroughs for the examinations. This bill had not passed the recent session of the legislature.

A motion was made by Mr. Rudolph, seconded by Mr. Haigler and approved by the Council to adopt a resolution urging passage of Senate Bill No. 326 or legislation of a similar nature to permit other than borough residents to take police civil service examinations and be permitted to be appointed to borough police departments.

The Secretary was directed to send copies of the resolution to Senator Probert and the legislative representatives in the General Assembly from Montgomery County.

Mr. Rudolph discussed the absence of Sgt. Harry Weaks from duty with the Police Department due to illness. He indicated that the committee recommended that further consideration be given to extending the sick leave benefits for Mr. Weaks. Mr. Rudolph further pointed out that due to the precedent established during the recent illness of Officer Duckworth, in which his pay was extended for an additional two weeks at half pay, beyond the normal sick benefits established by the policy adopted several years ago, he recommended that a similar action be taken with reference to Sgt. Weaks. A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council, to extend the pay of Sgt. Weaks beyond his normal sick time benefit for a period of two weeks at half pay.

Mr. Rudolph indicated that the proposed budget for the year 1960 included an appropriation for the purchase of a monitor radio to be installed in the police station to cover the wave length of the police cars. His Committee recommended authorizing an expenditure not to exceed \$200 to purchase such a monitor radio. A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council, to authorize the purchase of the above monitor type radio

at a price not to exceed \$200.

Mr. Rudolph presented a recommendation that an ordinance be adopted to ordain "No Parking At Any Time" on the west side of Chester Avenue from Lehman Avenue to Monument Avenue. He also indicated that the ordinance should conclude similar parking prohibitions for the north side of Monument Avenue, from Chester Avenue to York Road, which has been carried on as a temporary measure for the past month. The Committee further recommended that "No Parking At Any Time" be ordained for the north side of Lehman Avenue for a distance of 150 ft. west from York Road.

A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to adopt the following ordinance:

ORDINANCE NO. 337

AN ORDINANCE AMENDING THE ORDINANCE REGULATING THE TRAFFIC IN, AND CERTAIN USES OF THE HIGHWAYS OF THE BOROUGH OF HATBORO, ADOPTED FEBRUARY 6, 1950.

There was a discussion concerning the adoption of an ordinance to forbid parking on the south side of Lehman Avenue from Chester Avenue to York Road. Mr. Hillas opposed the adoption of the ordinance as several houses on the south side do not have driveways. The ordinance for parking restrictions on Lehman Avenue from Chester Avenue to York Road was referred to the committee for further consideration.

Mr. Rudolph reported that complaints have been received concerning the parking of trucks in front of Wagner's Delicatessen Store at York Road and Byberry Avenue for the purpose of delivering merchandise. He also reported that the Chief has corrected this violation by informing the proprietor that deliveries of merchandise should be made at the rear of the building.

Mr. Rudolph questioned if any further word had been heard from Mr. Sommerson representing the Willow Grove and Warminster Taxicab Company which is planning to take over the taxicab service for the Hatboro area. The Secretary advised that no word has been received. However, it was reported that word has been received from the Bell Telephone Company that plans are being made to install taxicab telephones at three locations in the borough. The Secretary was directed to contact Mr. Sommerson to receive up-to-date information on this matter.

Mr. Rudolph advised that no further word has been received concerning the traffic survey to be conducted in the borough.

Burgess Williams discussed various complaints that have been received concerning dogs running at large in the borough and recommended that consideration be given to the retaining of a dog catcher. Chief Dudbridge was instructed to check with the Horsham Police

Department who presently has services of a dog catcher. The newspapers were asked to carry an item indicating that dogs found running at large will be detained and penalties will be enforced in accordance with the dog ordinance.

Mr. Rudolph reported that he had asked Mrs. Gaither to check into the advisability of enacting an ordinance to regulate the construction of private swimming pools in the borough. The committee will report further on this item at the next meeting.

Mr. Rudolph advised that he had asked the Secretary to contact other boroughs and townships concerning the checking of building values as indicated on the building permits. He also indicated that inquiries have been sent out concerning the required square foot areas for apartment houses and parking for apartments and retail stores in other areas. This information will be collected and prepared for discussion at the next Public Health and Safety and Highway Committee meeting.

Mr. Rudolph presented the reports of the Plumbing inspector and building inspector for the month of February 1960.

Mr. Rudolph advised that the building inspector and fire chief had at his request conducted an inspection of the Public Spirit office building which had been damaged by fire recently. A report has been received that the structure has been found safe for use. It was also reported that the building inspector had visited the property along with the representative of the Department of Labor and Industry and found the building suitable for occupancy.

Mr. Rudolph reported that he had received several requests for the issuance of Certificate of Occupancy for construction projects in the Borough. Those requested were for the dwelling at 120 W. Monument Avenue constructed by William Benner on which the driveway has not been completed and the construction of a new office building for Edward B. Duffy at 104 N. York Road, on which a driveway and parking area has not been completed to date. A request has also been received for the building of Russell Worstall at 419 Jacksonville Road, bathroom and lighting fixtures previously had not been installed but have now been completely installed. He also advised that a request had been received from Allan Meade for a Certificate of Occupancy for the Nu-Life Cleaners building at 340 South York Road, stone and grit have already been installed on the driveway and parking area and it appears that a temporary certificate can be issued.

Mr. Rudolph further recommended that when weather interferes with the completing of certain items on the job that a temporary permit be granted.

Solicitor Henderson advised that the Certificate of Occupancy is contained in the Building Code. He further stated that a Certificate of Occupancy is a certificate of completion as to

the plans and specifications filed at the time the building permit is issued. It is possible to waive certain requirements when there are items not completed due to weather conditions. In response to a question by Mr. Haigler concerning what can be done when such items are not completed at a later date, Mr. Henderson reported that the Borough may go to court to compel or enjoin the use of the building until the work is completed. Prosecution may also be made as a violation of the Building Code. Mr. Rudolph suggested that where, due to weather conditions all items cannot be completed, a temporary certificate of occupancy be issued with a 60 day requirement that all items be completed. Action of this type could be taken on the permits for the Benner property, 120 West Monument Avenue, the Duffy property, 144 North York Road and the Meade property at 340 South York Road.

A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to grant the Certificate of Occupancy for the Benner property, 120 W. Monument Avenue, with the requirement that the driveway be completed within 60 days from the date of March 14, 1960.

A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to issue a Certificate of Occupancy for the building of Mr. Duffy, 104 N. York Road with the further requirement that a paving of the driveway and the parking area be completed within 60 days of this date.

Mr. Rudolph made a motion that a temporary Certificate of Occupancy be granted for the building of Mr. Meade at 340 S. York Road. No second was made for this motion and no action was taken.

Mr. Rudolph reported in connection with the Meade building at 340 S. York Road, that a rumor had been heard that a drive-in was to be constructed at the location for the dry cleaners use. A letter had been written on February 17 asking concerning such a plan to which no answer had been received. On checking with the State Highway Department concerning the lowering of the curb it was learned that the State Highway Department had issued a permit for two curb cuts to permit a drive-in drive-out feature. Mr. Rudolph further reported that on learning of the plans of Mr. Meade a request had been sent to the State Highway Department requesting that the curb permit be revoked with reasons listed that such a use represented a hazard to the traffic right turning at Horsham Road and due to the Fulmor Avenue intersection across the street from the building in question. He reported further that the State Highway Department had agreed to hold up work on the north driveway entrance until the problem had been resolved. Mr. Rudolph further pointed out that due to the lack of room in front of the cleaning establishment not more than two cars could enter without extending across the sidewalk or projecting into the highway. Such a use would create a traffic hazard and pedestrian hazard. Mr. Rudolph recommended that the driveway through to the rear of the property be used for a turn-around and exit from the property. Mr. Platten

recommended that a request be placed with Mr. Meade for the filing of a new plan to indicate the proposed drive-in use on the property. Mr. Haigler pointed out that heavy school pedestrian traffic also passes in front of the property. Mr. Rudolph directed the Secretary to write a letter to Mr. Meade directing that a revised building permit be filed with the borough for consideration concerning the drive-in feature.

Mr. Platten indicated that the borough cannot permit a violation of the Zoning Code in that parking in the front of the store would be in the front yard which in accordance with the Zoning Code must be a free and unobstructed area from the ground up. He indicated that the property owner would be required to file an application with the Zoning Board for a Variance to permit such a use of the front yard. It was agreed that a temporary Certificate of Occupancy could be issued with a clause stating the zoning prohibitions for the proposed use of the front yard. A letter should be requested stating their planned use of the front yard which can be turned over to the Zoning Board for consideration. Mr. Wilcke indicated that it may be a week or ten days before the operation will be started.

Mr. Rudolph discussed the office building of Mr. Meade at 350 South York Road immediately adjacent to the Pennypack Creek and indicated his concern as to the construction being so close to the creek bed. Mr. Rudolph reported contacting the Department of Forests and Waters and Power and Water Resources Board of the Commonwealth of Pennsylvania who advised that a State permit was required for such construction. The permit forms were turned over to Mr. Meade for filing with the State. A reply received from the Power and Water Resources Board of the Commonwealth of Pennsylvania indicated that the building as constructed and shown on plans does not obstruct the stream flow. Mr. Haigler presented his objections to the risk of the building obstructing the stream flow and the possible necessity of spending borough funds to clean out the stream if the foundations of the building were washed out and the building collapsed into the stream. Mr. Platten suggested that a Certificate of Occupancy be issued with a clause indicating that "if due to flooding the building is affected, the owner will assume the cost of cleaning the stream bed". Solicitor Henderson suggested that a letter be written to the State Department of Forests and Waters indicating that due to their agency granting a permit to allow such a construction that they be put on notice that any stream cleaning work resulting from such construction will not be required of the borough.

Mr. Rudolph presented the report of the assistant health officer for the month of February.

Mr. Rudolph reported that a request had been received for approval of a subdivision of two lots on the south side of Byberry, approximately 150' west of Byberry Road. In connection with the same lots, a zoning change will be required and it was recommended that a subdivision approval be withheld until the

zoning matter is decided. The petition of Daniel J. Bove and Morton Dallam, owners of the above two lots, was read by the Secretary indicating the filing of a request for the change of zoning from Residential A to Residential B. A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to adopt the following resolution setting the date of April 4, 1960 as the hearing date for the above zoning petition.

RESOLUTION

The Council of the Borough of Hatboro hereby resolves:

1- That a revision of the Zoning Map of the Borough of Hatboro to provide for the reclassification of a parcel of ground on the south side of Byberry Avenue, west of Warminster Road, from A-Residential to B-Residential, be and the same is hereby proposed.

2- That April 4, 1960 at 8 P.M. o'clock be fixed as the time and the Municipal Building, Hatboro, as the place of a public hearing to be held on the said proposed revision.

3- That notice of the proposed revision and of the time and place for the public hearing thereon be given by publication by the Secretary of notice thereof in a newspaper of general circulation in the Borough.

4- The form of the said notice shall be as follows:

"Notice is hereby given that the Council of the Borough of Hatboro will consider at a Zoning Hearing to be held April 4, 1960 at 8 P.M. at the Municipal Building, Hatboro, the following:

Application of DANIEL J. BOVE and MORTON H. DALLAM, for a change in zoning classification from A-Residential to B-Residential for a parcel of ground on the south side of Byberry Avenue, approximately 150 feet west of Warminster Road, Hatboro, Pa.

A Public Hearing on the proposed revision will be held at the Municipal Building, Hatboro, on April 4, 1960 at 8 o'clock, at which time full opportunity to be heard will be given to any citizen or parties in interest attending such hearing."

Copies of the proposed revision are on file in the office of the Secretary in the Municipal Building, where same may be examined.

5- That notice of the proposed revision also be given by the posting upon said premises affected by the proposed change a copy of the foregoing notice at such place or places as the Zoning officer directs.

Continued

Resolution Continued:

6- That the proposed revision be submitted to the Planning Commission with the request that a report be submitted to Council with respect to its opinion regarding such revision prior to the date of the regular meeting of Council at which said revision is to be considered.

In connection with the above zoning matter, it was agreed that the Planning Commission should be invited to attend the hearing so that they will be prepared to have a decision on the matter.

Burgess Williams presented a letter received from Dr. Wilbar, Director of Health, of the State of Pennsylvania, concerning the contamination of the Pennypack Creek by the industrial plants along the west side of Jacksonville Road in Warminster Township. Burgess Williams' reply to the letter was also read in which he advised that he had been working on the problem since October 1958 and that even though a permit had been issued by the State Department of Health no relief has been received to date in connection with the stream contamination.

Mr. Rudolph reported that the proposed revision to the sign section of the Zoning Ordinance referred to his committee for review is to be given consideration and will be reported on at the next meeting.

Mr. Rudolph reporting concerning the proposal for a right-turn green arrow for north bound traffic at Byberry Avenue, advised that his committee is working on this matter and will report at the next meeting.

The Secretary advised that a request had been received from Mr. Benner for a building permit for the construction of a dwelling on a lot on the west side of Jefferson Avenue, south of Corinthian Avenue. This is the same lot that was considered by Borough Council in October 1959 in connection with the establishment of a policy concerning the requirement for curbs, sidewalks and street paving. No decision was made at previous meetings. The request was referred to the Public Health and Safety Committee and Highway Committee for consideration and report at the next meeting.

The Secretary advised that plans have been made by the Civil Service Commission to conduct an examination for the position of patrolman on the police department to be held on April 22, 1960. Appropriate advertising and placards will be prepared for distribution indicating the various benefits under our police department and pension program.

Dr. Brooks discussed the filing of information for violations of the Motor Vehicle Code and indicated that the agreement presently existing between the two justices of peace in which they

share hearings does not apply in cases of this type. Following a discussion a motion was made by Dr. Brooks and seconded by Mr. Haigler, to appoint Justice of the Peace William Speakman as the justice of the peace before whom information is to be filed on borough violations and all other offenses against the criminal code. Mr. Hillas questioned if such action would make the other justice of the peace inoperative to which Mr. Platten replied that such would not be the case on civil cases as it would refer only to cases referred from the Hatboro Police Department. Chief Ludbridge questioned as to what action should be taken if justice of the Peace Speakman is not available. Solicitor Henderson indicated that in such a case the charges should be filed before another justice of the peace. The vote on the motion was: In favor--Messrs. Mosetter, Brooks, Platten, Haigler, Rudolph and Gaither; with Mr. Hillas abstaining from voting.

Mr. Platten presented and discussed the Budget Report for the month of February 1960.

Mr. Platten presented for adoption a proposed ordinance setting up the Pension Fund for borough employees. Copies had already been distributed to all councilmen. The proposed ordinance had been prepared by Solicitor Henderson after consulting with Paul Rosenbaum. There was a discussion concerning the interest factor of 3% to be paid on the return of employees' contributions.

A motion was made by Mr. Platten, seconded by Dr. Brooks to eliminate the item of 3% interest to be applied when contributions are returned to employees under Section 7 of the ordinance, and to insert the clause that would indicate contributions would be returned without interest. The vote on the motion was: In favor--Messrs. Mosetter, Hillas, Platten, Brooks, Gaither and Rudolph; Against--Mr. Haigler.

A motion was made by Mr. Platten, seconded by Mrs. Gaither and approved by the Council, to adopt the following ordinance:

ORDINANCE NO. 336

PROVIDING FOR THE ESTABLISHMENT OF A MUNICIPAL EMPLOYEES PENSION FUND AND THE REGULATION AND MAINTENANCE THEREOF; PROVIDING FOR AN ACTUARY, TRUSTEE AND PENSION COMMITTEE; PRESCRIBING RIGHTS OF BENEFICIARIES; CONTRIBUTIONS BY MEMBERS AND THE BOROUGH OF HATBORO; PROVIDING FOR EXPENSES OF ADMINISTRATION; CREDIT FOR MILITARY SERVICE; REFUNDS; EXEMPTING BENEFITS FROM JUDICIAL PROCESS; AND REPEALING INCONSISTENT ORDINANCE OR RESOLUTIONS.

Mr. Platten discussed the adoption of a Trust Agreement and advised that the Finance Committee will make the necessary investigations prior to the appointment of a Trustee and develop a fee schedule for the pension plan.

Mr. Platten advised that the 1960 Budget has been prepared on the basis of a 14 mill real estate tax and has now been totaled and can be authorized to be placed on view. Further consideration of the millage rate, a per capita tax, a mercantile tax or other taxes to produce the necessary revenue along with borrowing for the Horsham Road project are all items for discussion at this meeting.

Mr. Platten referred to the appropriation for the Enterprise Fire Company. Mr. Lutz and Mr. Almen reviewed the discussions of the previous meetings and again presented a request for an appropriation of \$8500. Mr. Rudolph urged that a Matching Fund program be adopted to be run in conjunction with the fire company's campaign for funds for the new ladder truck. Dr. Brooks questioned the use of the new ladder truck owned by Hatboro in other communities and cited a possible increase in operating cost. Mr. Mosetter and Mrs. Gaither questioned where the additional \$3500 would be raised in order to give the fire company their requested appropriation. Mr. Platten pointed out that other appropriations would necessarily have to be decreased to provide for the fire company appropriation. Mr. Platten also pointed out that the present budget as totaled includes a \$2.50 per capita tax.

A motion was made by Mr. Platten, seconded by Mr. Rudolph to adopt the following resolution to indicate the intention of the borough to impose a \$2.50 per capita tax for the year 1960. The vote on the motion was: In favor--Messrs. Mosetter, Hillas, Brooks, Platten, Rudolph and Haigler; Mrs. Gaither abstained from voting.

RESOLUTION

RESOLVED, That the Borough Council of the Borough of Hatboro hereby gives notice of the intention to adopt an ordinance pursuant to the Act of June 25, 1947 PL 1145 as amended, to levy a per capita tax of \$2.50 for the calendar year 1960 upon every resident of the Borough of Hatboro of the age of twenty-one years or older.

It was agreed that a meeting of the Finance Committee would be held on March 28, 1960 to review the tax structure of the Borough and to study the possible enactment of a mercantile tax or similar tax in connection with the 1960 Budget.

A motion was made by Mr. Platten, seconded by Mr. Haigler, and approved by the Council, to authorize the Secretary to place the proposed 1960 Budget on view as required by law based on a real estate tax rate of 14 mills and a per capita tax of \$2.50.

In response to a request received from Tax Collector Parry, a motion was made by Mr. Hillas, seconded by Mr. Haigler and approved by the Council that the borough treasurer be authorized to sign certificates to the County Tax Claims Bureau for

delinquent 1959 real estate taxes.

A motion was made by Mr. Haigler, seconded by Mr. Rudolph and approved by the Council, to authorize the Secretary to advertise for the accepting of bids for the purchase of a new one ton dump truck for the Maintenance Department on April 11, 1960.

Following a discussion concerning certain recommended revisions of the Zoning Code, a motion was made by Mr. Haigler, seconded by Mrs. Feither and approved by the Council to adopt the following resolution announcing the intention of the Borough Council to amend the zoning ordinance to require 1 1/2 parking spaces for each family unit in multiple dwellings; to require that black top, cement or concrete surfacing be required in saving parking spaces under the "all-weather" parking clause for all required uses except residential driveways. It was recommended that the above changes be referred to the Planning Commission for review and recommendation in accordance with Section 1905 of the zoning ordinance.

RESOLUTION

RESOLVED, That the Borough Council announces its intention to consider an amendment to the zoning ordinance to require that off-street parking shall be provided for multiple dwellings at the rate of 1 1/2 car spaces per family unit, and to require that parking spaces specified under the "all-weather" parking clause be surfaced with black top, cement or concrete, except for residential driveways.

Dr. Brooks discussed the off-street parking plan, commonly known as the Lower Merion Plan, as it might be applied to the parking situation in Hatboro. A motion was made by Dr. Brooks, seconded by Mr. Haigler and approved by the Council to adopt the following resolution:

RESOLUTION

Since 1955, the Borough of Hatboro has indicated its recognition of parking problems and has appropriated funds for parking behind the Philadelphia National Bank and has also purchased and improved the 160 car parking lot at Moreland and York Roads. It is committed financially for the improvement of the parking area behind the new post office site.

In order to stimulate the commercial growth, the Borough has indicated its willingness to establish new drainage from the Garner Tract and accept certain area in the tract as a municipal parking lot.

Since new development and enlargements can be expected, and in accordance with our Zoning Code regulations governing off-street parking requirements,

BE IT HEREBY RESOLVED, That any building, alteration or

architectural change of any building or parcel of ground, not having the ability to live up to the requirements of the off-street parking regulations, will require the owner to purchase certificates of participation at a cost of \$500 each and each certificate will allow for one (1) parking space.

Mr. Rudolph reported that a request had been received from the Sewer Authority, for the approval of a sewer connection for the property of Albert New and Helen New, Easton Road and Township Line Road in Horsham Township to the Upper Moreland-Hatboro Joint Sewer system. The request was referred to the committee for review and recommendation at the next meeting.

Mr. Platten discussed the using of State Highway Funds on the reconstruction of Horsham Road. In this connection a motion was made by Mr. Platten, seconded by Mr. Mosetter and approved by the Council to adopt the following resolution constituting an application to the State Highway Department for approval for the above use of State highway funds.

RESOLUTION

TO THE PENNSYLVANIA DEPARTMENT OF HIGHWAYS:

WHEREAS, Act 655, approved June 1, 1956, provides that the funds allocated under Section 4, subsection (2) shall be used by the Municipal Township Officials in accordance with budgetary requirements of Section 5 (2), and

WHEREAS, twenty-five percentum of the funds allocated under these provisions shall be used for construction, reconstruction or widening of roads and streets, bridges and drainage structure;

THEREFORE BE IT RESOLVED, That we, the Officials of Hatboro Borough, Montgomery County, Pennsylvania, in regular session assembled on this 14th day of March, 1960, do hereby make application to the Department of Highways for the proposed expenditure of Fifteen Thousand dollars (\$15,000.00) of the Municipality's-Township's allocation for the improvement of (state location and length of project, and the proposed type of construction). Horsham Road, York Road west to Boro line, excavate and reconstruct, including complete curbing, storm drainage, tree removal, sidewalks as planned, and retaining walls where necessary.

And we further certify that all work performed hereunder will be done in accordance with Pennsylvania Department of Highways specifications, or specifications approved by the Department.

The following bills were presented by the Secretary and ap-

proved by the Council for payment:

<u>No.</u>	<u>Vendor</u>		
904	Philadelphia National Bank	\$	830.77
905	Phila. National Bank, Trustee		184.95
905-A	Borough of Hatboro-State Highway Fund		639.21
906	Bux-Mont Cleaners, Inc.		7.55
907	American Press		3.00
908	Brooks Paint Store		6.50
909	Jim Banes Ford, Inc.		57.62
910	Bell Telephone Co.		119.98
911	National Disinfectant Company		21.90
912	Magee-Hale Park-O-Meter Co.		39.10
913	Montgomery Office Equipment Co.		63.75
914	Miller & Cornell, Inc.		65.34
915	Markovich Auto Parts		26.72
916	Lou's Sunoco Station		13.78
917	The Daily Intelligencer		62.80
918	Knox Henderson		13.25
919	Homelite, Div. of Textron Inc.		22.48
920	Heil Equipment Co. of Phila., Inc.		22.50
921	Hatboro Hardware		12.45
922	Hatboro Lumber & Fuel Co.		70.13
923	J. Fegely & Son Hardware Co.		37.76
924	Erwin Printing, Inc.		3.50
925	Eureka Stone Quarry, Inc.		154.68
926	Cameron Sanitary Landfill, Inc.		100.00
927	C. & C. Supply Co. Hatboro		32.68
928	Bux-Mont Office Supply Co.		13.10
929	Bux-Mont Office Supply Co.		12.45
930	Taggart's Hardware		35.79
931	John B. Stetson Co.		13.18
932	Sinclair Refining Co.		243.56
933	J. I. Holcomb Mfg. Co., Inc.		18.00
934	James Craig		9.01
935	Smith Chevrolet Co.		12.86
936	Philadelphia National Bank, Corp. Trust Dept.		375.00
937	Perkasie Uniform Company		40.16
938	Pine Run Farm Supply Co.		14.65
939	Philadelphia Electric Co.		894.25
940	Ditto		10.00
941	Philadelphia National Bank		17.08
942	Parking Meter Repair Service Center		18.00
943	Philadelphia Electric Co.		12.10
944	Accounting Adjustment		--
945	Walter Z. Dudbridge		8.20
946	Wise Distributing Co.		18.00
947	Township of Upper Moreland		109.00
948	Umberto Travaglini		7.50
949	I. M. Jarrett		15.53
950	Superfine Fuels Co.		16.37
951	General Electric Co.		1,760.45
952	Philadelphia Natl Bank, Personal Trust		153.67
953	Ditto, Hatboro Office		831.91

A motion was made by Mr. BAIRD, seconded by Mr. Rudolph and approved by the Council, to recess the meeting to be reconvened on April 4, 1940, the hour being 12:00 A.M.

Thomas A. Mc Cluer
Secretary

Hatboro, Pa.
April 4, 1960

The recessed Council meeting of March 14, 1960 was reconvened for the purpose of conducting a public hearing on the petition of Messrs. Bove and Dallen in connection with the proposed change of zoning for a lot on the south side of Byberry Avenue approximately 150' west of Warminster Road from A-Residential to B-Residential zoning.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen Platten, Brooks, Bulger, Nilles, Mosetter, Rudolph, Gaither; Burgess Williams, Treasurer Gintowt, Police Chief Ludbridge, approximately 15 residents and two press representatives.

The zoning petition referred to above was read by the Secretary. Mr. Platten questioned the applicant and was advised that the above property is approximately 250 yards east of the Eleanor Court Apartment, that curbs and sidewalks would be installed if required and that the building would be of masonry and brick construction.

Mr. Platten called for objections from the residents present to the zoning change.

Mr. Wenderoth, northwest corner of Warminster and Byberry Roads, indicated that he did not object to the proposed use but presented an objection to the zoning change.

Mr. Marshall, 237 Byberry Road, objected to the approval of the petition.

Mr. Clemens, 235 Byberry Road, a resident for twenty years objected to the zoning change.

Mr. Henry, 233 Byberry Avenue, objected to the zoning change but advised that he would not object to the construction of multiple dwellings.

Mr. Regina, 220 Byberry Road, objected to the zoning change.

Mr. Platten indicated that action on the petition would be deferred until the Planning Commission could meet on April 5 and present a recommendation to Council.

Dr. Brooks reporting for the Public Works Committee advised that new aluminum street lighting poles had been installed on York Road. It is expected that the wood poles on the west side will be removed within 30 days. The present poles will be retained on the east side as Bell Telephone Company has one remaining cable which cannot be placed underground at the present time. Concerning the installation of 3-way lighting fixtures at certain intersections on York Road, Dr. Brooks reported that type

of fixture involved has not been approved by the Electric Company to date for general use.

Dr. Brooks reported that membership rates for the swimming pool for the 1960 season will be as follows:

	Before June 1	After June 1
Family	\$32.00	\$37.00
Adult	16.00	18.50
Child	8.00	10.50

Burgess Williams reported that he had attended the December meeting of the School Board concerning the proposed use of the Loller School building by the Borough. Further contacts will be made shortly in this connection.

Solicitor Henderson reported that the appeal in the Oniewek zoning case has been filed in the county court for hearing. He also reported that the appeals on the Blair and Walton gasoline station zoning cases had been placed on the April 11 court list. He also advised that the Koehler appeal on the Meadowbrook Park apartment had been heard on April 1 and that a hearing would be held before the zoning board. Mr. Henderson reported that a hearing would be held on April 8 on the Meade/Wolfe case concerning the use of the front yard for a drive-in feature. It was reported that two jury-of-view cases on Warminster Road properties are still awaiting decisions.

Mr. Platten discussed the completion of the 1960 budget and indicated that the appropriation for the fire company along with the tax rate and type of tax as the only undecided items. Mr. Platten indicated that definite figures had been received from Paul Rosenbaum and Associates, on the two pension plan costs which indicated a saving of several hundred dollars.

The Secretary read a letter from the Enterprise Fire Company concerning the proposed budget appropriation of \$5,000 which indicated that the fire company renewed their request for appropriation of \$8500.00.

Mr. Blum, 168 Earl Lane, recommended that more publicity be given to the possible use of the per capita tax.

Dr. Brooks discussed the real estate transfer tax which produced an income in 1959 of \$17,581. He pointed out that after July 1 the Hatboro School Board would be taking one-half of this tax income which represents an approximate one mill tax income loss to the borough.

Mr. Blum recommended that an increase in millage be considered in preference to a per capita tax in order that a proportionate share of the tax burden be borne by the owners of large buildings and stores who would not be affected by a per capita tax.

Mrs. Coleman pointed out that she did not favor a per capita tax as the combined per capita taxes of the township and school board would amount to over \$17,000 all of which is collected from residents with none coming from commercial or industrial properties.

Burgess Williams suggested that a \$5 automobile tax and \$5 motor cycle tax be considered by the Council. Mr. Platten suggested that further discussion of the tax problem be deferred until the regular meeting to be held on April 11, so that all residents may have an opportunity to express their opinions.

Mr. Berlin, representing the Hatboro Business Men's Association recommended that the resolution adopted at a previous meeting, requiring a deposit of \$500 for each off-street parking space not provided in accordance with the Zoning Code, be reconsidered by the Council. He stated that the business men are working to encourage commercial development and cited that the resolution is blocking development in the retail area. Dr. Brooks indicated that the intention of the resolution was not to affect York Road development or the properties bordering the Garner property, but that the restrictions were to apply to other retail areas. He further cited that complete perimeter development would be harmful without a parking requirement.

Mr. Berlin in urging the rescinding of the resolution indicated that prompter development of the present commercial ground would come about. He also pointed out that Byberry Avenue would not be as easily developed due to the present structures. He also discussed the practice of all day parking on the Moreland Avenue parking lot.

Mr. Samuel Gamburg questioned the legality of the provisions of the resolution. Mr. Henderson advised that the theory of requiring a cash deposit for parking deficits is new and that no such ordinance or plan exists in Pennsylvania and is therefore not court tested.

Mr. Berlin further discussed the requirements of the resolution and the zoning ordinance as to parking and indicated that many neighboring communities require one car for every 750 sq.ft. instead of Hatboro, the requirement of one car for every 100 sq. ft. He also advised that many communities give a basic exemption on parking of 1,000 to 1,500 sq.ft. Mr. Berlin further favored that the business men be permitted to decide for themselves as to the amount of parking to be provided.

Mr. Gamburg indicated that he proposes to build an 18,000 sq.ft. addition to his furniture store and indicated that he would have no off-street parking available.

Mr. Platten, Mr. Berlin and Mr. Gamburg discussed the parking requirements of other communities. Mr. Platten indicated

that the construction of the parking lot on the Garner property would probably solve the majority of the parking problems in the immediate area. Mr. Berlin and Mr. Haigler discussed the relative costs of parking per car space. Mr. Belfer indicated that strict enforcement of the resolution would hold up all new construction in Hatboro. Mr. Platten pointed out that if the planned construction is completed and all developers claim parking exemptions the parking and traffic problem would be detrimental to commercial activity.

Mr. Gamburg suggested that the business men donate the Garner property to the borough in its present condition. He further pointed out that the parking resolution would require that he donate \$30,000 to take care of his off-street parking deficit.

A motion was made by Dr. Brooks, seconded by Mr. Hillas, to adopt the following resolution:

RESOLVED, That the effective date of the resolution adopted on March 14, 1960, concerning the deposit of \$500 for each car parking space not furnished in accordance with the Zoning Code, be set as July 4, 1960 and that Borough Council be urged to consider an amendment to Article 10 of the zoning ordinance concerning off-street parking in the borough.

Dr. Brooks pointed out that the adoption of the above resolution will enable all who have plans to build or alter their business establishments to be able to apply to the Zoning Board of Adjustment in connection with any deficit of off-street parking required under the present Zoning code.

The vote on the above resolution was: In Favor--Messrs. Platten, Hillas, Mosetter, Brooks, Gaither; Against--Mr. Haigler.

Mr. Pilch questioned as to the status of his application before the Zoning Board in which a Variance was granted with the requirement that a deposit be made in accordance with the previous resolution. Mr. Platten recommended that he contact the Zoning Board of Adjustment to receive a revised certificate.

A motion was made by Mr. Hillas, seconded by Dr. Brooks and approved by the Council to adjourn the meeting, the hour being 10:30 P.M.

Thomas A. McClellan
Secretary

April 11, 1960
 Hatboro, Pa.

The regular meeting of the Borough Council was held in the Municipal Building on the above date.

The meeting was called to order at 8 P.M. by President (Jettison with the following present: Tommasen, Ristved, Haigler, Brooks, Gaither, Hillap, Mosetter and Rudolph; Burgess Williams, Treasurer Glatow, Police Chief Ludvigsen, Street Supervisor (blank) Engineer Luggerty, Mr. Harry Wilcke, two press representatives and approximately 40 residents.

The invocation was given by Burgess Williams.

In accordance with previous advertising bids were opened and publicly read for the purchase of a new one ton dump truck for the Maintenance Department.

The above bids were referred to the Highway Committee for review with the award to be made at the regular May council meeting.

The minutes of the Council meeting of March 14, 1960 were reviewed. A motion was made by Mr. Mosetter, seconded by Dr. Brooks and approved by the Council to approve the minutes as submitted.

Mr. Haigler reporting for the Highway Committee advised that the bids for the purchase of highway materials had been reviewed by the Committee and that the committee recommended that contracts be awarded to all low bidders with the exception for the bid for motor oil. A motion was made by Mr. Haigler, seconded by Mrs. Gaither and approved by the Council to award the bids as follows:

<u>Gasoline</u> :	Sinclair Refining Co.	:	Consumer Tank Wagon	.161 gal
			Discount	.0332
			Net Price	.1278
<u>Fuel Oil</u> :	R. L. Stott Co.		Tank Wagon	.136 gal
			Discount	.0291
			Net Price	.1069
<u>Stone</u> :	Eureka Stone Quarry	:	H&S	Plt.
			#1B	1.75 1.35
			#2	1.75 1.35
			#4	1.70 1.35
<u>Black Top</u> :	Eureka Stone Quarry	:	Dlvd	Plant
			H.E.	6.10 5.70
			Cold Mix	7.45 7.00

Continued

<u>Tar</u>	:	Koppers Co., Inc.	:	DH2	.215 gal
				H2	.215 gal
<u>Asphalt</u>	:	Marchese Bros.	:	C-2	.185 gal
				M-1	.185 gal
				B-M-1	.185 gal

Treasurer Gintowt presented the Treasurer's Report indicating a balance at this date of \$4,173.45. With two payrolls and invoices presented at this meeting to be paid it was recommended that \$10,000 be borrowed. A motion was made by Mr. Hillas, seconded by Mr. Rudolph and approved by the Council to accept the Treasurer's report.

Mr. Platten reporting for the Finance Committee advised that in order to prevent any delay in the signing of boro checks he recommended that Mr. Haigler be listed as an approved signature. A motion was made by Mr. Hillas, seconded by Mrs. Gaither and approved by the Council, with Mr. Haigler abstaining from voting, to adopt the following resolution:

RESOLUTION

"RESOLVED, That checks drawn or payable against the accounts in the name of this company with the Philadelphia National Bank, to the order of any persons, firm or corporation whatsoever, shall be signed by the following as indicated: Peter Platten, President, Borough Council; or Peter Platten, Finance Chairman, Borough Council; or E. D. Haigler, Councilman; and John J. Gintowt, Treasurer, Borough Council.

Mr. Platten commented concerning the financing of the Horsham Road project and read a prepared statement answering various news releases in local papers concerning the possibility of the road being turned over to the county. Mr. Platten invited action by the Council on the question of giving Horsham Road to the county. He recommended that the proposed budget, which included the financing of the Horsham Road project, be adopted so that the project could be completed this year. Mr. Platten further pointed out that the County Commissioners have no development plans or construction plans for Horsham Road. The preparation of these plans would probably delay the project until next year. Mr. Haigler pointed out the possible loss of gasoline fuel tax funds from the State if the county takes over the road.

A motion was made by Mr. Rudolph, seconded by Mr. Haigler and approved by the Council to authorize the Secretary to advertise for bids for the rebuilding of Horsham Road and recommending that negotiations be carried on with the county in this connection.

Mr. Platten in commenting concerning the proposed 1960

Budget indicated that the open items are the fire company appropriation and the possibility of a per capita tax. He suggested that the fire company appropriation be set at \$5,000 for the year 1960 and that a commitment be made that the same figure be recommended for the next four years. Mr. Platten further suggested an additional appropriation of \$1750 to the fire company to aid in the purchase of radio equipment previously planned under Matching Civil Defense Funds which was not approved by Civil Defense headquarters due to a vacancy in the office of Borough Civil Defense director.

A motion was made by Mr. Hillas, seconded by Mr. Mosetter and approved by the Council to set the amount of the fire company appropriation for the truck fund at \$5,000 plus \$1750 for the radio equipment and that Council go on record as recommending a similar \$5,000 appropriation for the truck fund for the years 1961, 1962, 1963.

Mr. Aiman, Fire Chief, commented on the above action and indicated that the appropriation as approved was a great disappointment to the members of the fire company.

Mr. Platten discussed the needed income for the budget and recommended that the real estate tax millage be raised from 14 to 15 1/2 mills to bring in the needed income.

A motion was made by Mr. Hillas, seconded by Mr. Rudolph to adopt the following resolution covering the budget for the year 1960:

BUDGET RESOLUTION

BE IT RESOLVED by the Council of HATBORO Borough;

That, having complied with the legal requirements, the annual budget as set forth in the Budget Form AB, on file in the office of the Borough Secretary, is hereby adopted:

That for the expenses of the Borough for the fiscal year 1960 the following items are hereby appropriated from the revenues available for the fiscal year for the following specific purposes, thereby constituting the necessary appropriation measure to put the budget into effect:

GENERAL OPERATING FUNDS Estimated Receipts

Cash and securities for appropriation	\$ 16,600.00
Receipts from current tax levy	128,700.00
Receipts from taxes of prior years	6,100.00
Receipts from miscellaneous revenue sources	95,000.00
Receipts from non-revenue sources	110,700.00
TOTAL ESTIMATED RECEIPTS and CASH	357,100.00

APPROPRIATIONS

General Government	Oper. & Maint.	Capital Outlay	Total
Administration.....	\$ 18,525.00	500.00	
Tax Collection.....	1,600.00	---	
Borough buildings or offices...	8,900.00	---	
Total	\$ 38,725.00	500.00	39,225.00
Protection to Persons and Property			
Police.....	63,320.00	1,650.00	
Fire.....	8,850.00	---	
Building regulation, planning & Zoning...	5,775.00	---	
Total	\$ 77,945.00	1,650.00	79,595.00
Health and Sanitation			
Board of Health.....	700.00	---	
Sanitary sewers.....	---	---	
Garbage collection & disposal.	16,270.00	---	
Total	\$ 16,970.00		16,970.00
Highways			
Streets and bridges.....	28,025.00	49,600.00	
Street lighting.....	11,000.00	---	
Total	\$ 39,025.00	49,600.00	88,625.00
Recreation			
Parks and playgrounds.....	4,400.00	---	
Shade trees.....	150.00	---	
Swimming pools.....	17,800.00	2,575.00	
Total.....	\$ 22,350.00	2,575.00	24,925.00
Miscellaneous			
Total.....	\$ 16,266.00	---	16,266.00
Total for Operation, Maintenance and Capital Outlay.....	\$ 211,281.00	54,325.00	265,606.00
Debt Service			
Interest			
On temporary loans			400.00
On bonds or notes			2,250.00
Total Interest (Paid directly from General Fund)...			\$ 2,650.00
Principal			
Bonds and notes retired			15,000.00
Temporary loans			70,000.00
Total Principal (Paid directly from General Fund).			\$85,000.00
Transfers to Sinking Fund			
For principal			
Total Debt Service			<u>\$87,650.00</u>
GRAND TOTAL APPROPRIATIONS--GENERAL OPERATING FUNDS.....			<u>\$353,256.00</u>

That any resolution or part of resolution conflicting with this resolution be and the same is hereby repealed insofar as the same affects this resolution.

The vote on the motion was: In favor--Messrs. Mosetter, Hillas, Platten, Rudolph and Mrs. Gaither; Against--Messrs. Haigler and Brooks.

A motion was made by Mrs. Gaither, seconded by Mr. Rudolph to adopt the following ordinance setting the tax rate for the borough for the year 1960 at 15 1/2 mills.

Mr. Haigler moved that an amendment to the above ordinance be made to establish the tax rate at 15 mills. There was no second to the amending motion.

The vote on the motion to adopt the ordinance was: In favor-- Messrs. Hillas, Platten, Haigler, Rudolph and Mrs. Gaither; Against-- Dr. Brooks and Mr. Mosetter.

ORDINANCE NO. 339

AN ORDINANCE OF THE BOROUGH OF HATBORO, COMMONWEALTH OF PENNSYLVANIA, FIXING THE TAX RATE FOR THE FISCAL YEAR 1960.

A motion was made by Dr. Brooks, seconded by Mr. Mosetter, to authorize the Finance Committee to investigate the enactment of a mercantile or business tax for the year 1961 and to report to the Council by August 1, 1960. The vote on the motion was: In favor-- Messrs. Platten, Rudolph, Mosetter, Hillas, Brooks, and Haigler; Against--Mrs. Gaither.

Mrs. Gaither discussed the inequities in the real estate assessments in the borough and recommended that the Finance Committee make a study of conducting an equalizing revision of the real estate assessments.

Mr. Haigler reporting for the Highway Committee advised that the engineer has prepared the specifications for the Horsham Road project and that the bid notice is on hand to be approved for advertising. Mr. Platten questioned if bids could be received on May 9 with the contract to be awarded one week later and have work started by June 1. Mr. Haggerty advised that such a schedule could be followed and that approximately 120 working days would be needed to complete the project.

A motion was made by Mr. Haigler, seconded by Mr. Rudolph and approved by the Council to authorize the Secretary to advertise for bids for the Horsham Road project to be received on May 9, 1960.

Mr. Haigler reported that he and Mr. Stauch had met with the engineers preparing the drainage survey. He also cited that the cost of the drainage survey is over one mill and is largely responsible for the tax increase.

Mr. Haggerty reported that grading and sodding will be completed on the south York Road curbing job within a week. Mr. Platten recommended that the work be completed promptly so that ordinance assessing the costs to the property owners can be adopted at the May meeting.

Dr. Brooks reported that the Philadelphia Electric Company hopes to complete the street lighting changes on York Road shortly and remove all excess wires from the area.

Dr. Brooks reported that numerous complaints have been received concerning the increase in the swimming pool membership rates. He further pointed out that Council has also permitted the Park Board to set the rates and operate the pool and believed that such a policy should be continued.

Dr. Brooks discussed the proposed revisions to the sign regulations in the Zoning Code. Mr. Platten referred the proposed ordinance to Solicitor Henderson for revision so that corrected copies of the ordinance may be furnished to councilmen prior to the May meeting.

Mr. Rudolph reporting for the Public Health and Safety Committee presented the report of the police activity for the month of March.

Mr. Rudolph advised that the Civil Service Commission has scheduled an examination for April 22 and that notices have been inserted in four local newspapers with placards placed in retail stores.

Mr. Rudolph advised that Edward Fernandez, desk man of the Police Department, had fallen while on duty in the police office on March 26 and had injured his right hand. In accordance with previous policy the committee recommended that full pay be given for the first week off and that Workmen's Compensation benefits be applied for on any additional time loss. Council agreed to this recommendation.

Mr. Rudolph reported that Sergeant Weaks had used all of his available sick time and that there may be a two month delay in his return to duty. The committee recommended that Mr. Weaks be instructed to make immediate application for Social Security benefits and that pay at half rate be continued until May 9 or until social security benefits begin. Council agreed to this recommendation.

Mr. Rudolph presented a recommendation that one-way traffic signs be installed on Madison Avenue from York Road to Earl Lane and that "No Parking" be permitted on the east bound lane of Madison Avenue in the same area. It was agreed that temporary signs would be installed and that definite action would be considered at the next meeting.

Mr. Platten presented a letter from the Planning Commis-

sion which was read indicating that the Planning Commission recommended that the zoning petition of Messrs. Geller and Bove be denied. A motion was made by Dr. Brooks, seconded by Mrs. Gaither and approved by the Council to deny the petition of Messrs. Bove and Geller requesting a change of zoning for two lots on the south side of Byberry Avenue approximately 150' west of Westminster Road, from A-Residential to B-Residential district.

Mr. Rudolph reported that the committee recommended the removal of the parking meter on south York Road in front of the Hewitt auto agency. It was agreed that the meter would be bagged for a trial period with definite action to be taken at a later date.

Mr. Rudolph advised that the cab companies serving Hatboro expected to receive FUC approval on or about April 15. The Secretary was directed to notify the cab companies that the existing cab stands at York Road and Williams Lane and York Road and Moreland Avenue be retained providing the cab companies carry through with the planned installation of telephone call boxes. It was pointed out that the cab stand at the Acme Market was removed sometime ago and was not available.

Concerning the installation of a right-turn green arrow at York Road and Byberry Avenue, the Secretary was instructed to make formal application for the permit. After the permit is received prices will be obtained.

The committee recommended that an ordinance be adopted to forbid parking on the south side of Lehman Avenue between York Road and Chester Avenue. A motion was made by Mr. Rudolph, seconded by Mr. Haigler and approved by the Council to adopt the following ordinance:

ORDINANCE NO. 338

AN ORDINANCE AMENDING THE ORDINANCE REGULATING THE TRAFFIC IN, AND CERTAIN USES OF THE HIGHWAYS OF THE BOROUGH OF HATBORO, ADOPTED FEBRUARY 6, 1950.

Mr. Rudolph discussed and recommended the strict enforcement of Vehicle Code provisions prohibiting parking facing traffic movement. Enforcement is to be extended to all borough streets with warning tickets to be used for the first offense. The Chief was authorized to procure the necessary warning tickets.

Mr. Rudolph discussed the follow-up on the parking violation of Mr. Barry, Buckingham, Pa. It was reported that the justice of the peace will proceed according to law and that the matter must be left in his hands.

Mr. Rudolph discussed action to be taken in reference to the Ivycrest Dairy building. The property owner was advised on February 12 that sixty days would be permitted to remove the building. The Secretary was directed to serve notice on the property owner that final action would be taken at the May meeting.

Mr. Rudolph discussed the removal of trees at the intersection of Warminster Road and Fulmor Avenue. The tree on the northwest corner, the Vick Chemical property, has been removed. The tree on the southwest corner, on the property of Jompu Lyne Corporation, has not been removed. The property owner has requested that the tree be permitted to remain. The Secretary was directed to again notify the property owner to remove the tree in the interest of public safety.

Mr. Rudolph discussed the proposed ordinance covering the construction of swimming pools. Copies will be supplied to all councilmen so that action may be taken at the May meeting.

Mr. Rudolph discussed the proposed revisions to the sign section of the zoning ordinance. The requirement that lighted signs be turned off after 9 P.M. was deleted from the proposed ordinance. Following a discussion the ordinance was referred to the Planning Commission and committee for further consideration.

Mr. Rudolph advised that parking and land requirements for multiple dwellings have been reviewed in neighboring communities. A summary of the information is to be furnished to the Planning Commission with the request that revisions to the Zoning Code be compared. Off-street parking requirements in the Retail area were also discussed. Information concerning neighboring communities has been collected and following a discussion the information was referred to the Planning Commission for use in preparing a revision to the Zoning Code.

Mr. Rudolph presented the reports of the Plumbing Inspector and the Building Inspector for the month of March, 1960.

Mr. Rudolph discussed the previously received complaint concerning the condition of the lot at the southeast corner of York Road and Fulmor Avenue. The Secretary advised that the building inspector had inspected the property and contacted the owner who agreed to have clean fill dirt placed on the property. This work has been done and the condition has been remedied.

Mr. Rudolph discussed the possibility of spraying for insect control in the borough during the coming season. The Secretary has been instructed to contact the county for the purpose of learning what steps are planned at that level. Prices have been obtained for this type of service should it be necessary for the borough to undertake such a program.

Mr. Rudolph presented the report of the Assistant Health Officer for the month of March.

Mr. Rudolph presented a committee recommendation that the sewer agreements for the Albert and Helen New property and the Charles and Adeline Sealer property be approved. A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to grant approval to the above sewer connections.

Mr. Rudolph discussed the problem of the Police Department in controlling dogs running at large in the borough. Dr. Brooks suggested that the borough investigate the cost of procuring a special type gun used to fire a tranquilizing pellet in catching dogs.

Mr. Rudolph discussed the obtaining of an agreement from Hatboro School Board to grant the borough the use of the Loller School building. A letter dated April 8, 1960 from the Hatboro School Board was read by the Secretary indicating no objections were voiced among the School Board members and that the Council should present some type of agreement explaining the proposed uses for the building. Mr. Platten referred the problem to the Public Works Committee for further follow-up. Mr. Platten further suggested that Dr. Brooks and Dr. Williams meet with the School Board president and come to an agreement.

Mr. Kline questioned concerning the completion of the sewer connections for the industrial plants on Jacksonville Road, north of County Line Road, largely responsible for contamination of the Pennypack Creek. Mr. Platten explained that a pumping station is needed and it is expected that work will proceed shortly and be completed within approximately 60 days.

Mr. Good presented a complaint concerning the possible blocking of the storm drain at the rear of the lot at the southeast corner of York Road and Fulmor Avenue. It was agreed that the building inspector would keep check on this operation and see that the storm drain is not blocked.

Mr. Haigler recommended that the Planning Commission be advised that driveways be considered in a possible amendment to the zoning ordinance concerning the type of paving to be required.

Dr. Brooks discussed a letter written by Burgess Williams concerning the parking situation in the borough of Hatboro. It was agreed that the letter should be released to the public as an expression of Dr. Williams' personal opinion of the situation. It was also agreed that the letter should be included in the minutes of this meeting.

TO THE MEMBERS OF THE HATBORO BOROUGH COUNCIL

For more than four years I've heard it said through the H.C.C.A., school and business groups that the greatest need for Hatboro's progress is parking. Quotes such as, "The horse that will pull business into Hatboro is free parking", "The more free parking we have the better it will be for Hatboro business". Of course this is pure socialism i.e. let's use tax money to create better business conditions for a section of society.

Towns such as Lansdale and Ambler were cited as shining examples of progress. In these towns the municipal parking provided is paid parking. These boroughs will eventually get their money back. I favor the idea that a parker on our municipal lots should pay as much per hour as a parker on our streets when metered; I also endorse the all day parking on our lots for \$.25 per 12 hrs. on reserved sections of our municipal lots.

For years the lack of parking was choking off business in Hatboro, so we were told. Parking spaces are the key to success. Otherwise Hatboro will wither on the vine and all business will by-pass us. Thus the spokesmen of business (The Experts) told the councilmen.

On Monday night April 4, 1960 Council heard one of the experts exclaim that Hatboro does not need any more parking. Hatboro has no parking problem except at a few times per week.

These same men announced plans for business expansion which would attract still more cars to Hatboro and at the same time announced that they could not wait for the Garner Tract to be developed. Yet for five years the development of the Garner Tract as a parking lot was the first step to build up Hatboro's business section, these experts said.

On April 4th 1960 these men opposed the Borough's long range plan to bring more parking into our town. Stating that if "I pay for spaces it will help the man down or across the street".

In the limited reading I've done on the parking problems in America - all police and municipal experts reach the conclusion that the cost of providing parking for the customer lies between the operator of the store and the car owner. And that the car owner must expect to pay to use parking spaces just as he pays for oil and gasoline for his car.

There was one business man in Hatboro who said in a 1956 Council meeting that Hatboro business men want more parking and the merchants are willing to pay for it. This sound idea has since been replaced by the idea of a socialistic approach to an individual problem.

Business can't expand because the Garner Tract is not developed for parking. Let's blame Council for that. They say.

Continued

Letter of Dr. Williams' Continued.

Business can't expand in Hatboro because our laws provide enough space for an automobile.

Business will by-pass Hatboro - because the central land locked Garner Tract is not developed for free parking.

Business can't wait for the Garner Tract development. We must expand now.

(Is your brain going around in circles, now? So is mine).

When the cost of condemnation and development of land for parking is the same as the \$500 per car space called for in our recent resolution. I can't see Council blamed for depriving business of any opportunity for growth. Business should pay its way.

I'm convinced after years of thought on this subject that had the Garner Tract been located elsewhere in our commercial areas there would have been no pressure brought to bear on Council to put tax money into draining and developing a privately owned piece of land.

I believe we should use our borough facilities to cooperate with business by establishing paid parking, with the business and car owner sharing the burden and having the borough repaid from daily receipts.

On August 17, 1959 we were told that \$500,000.00 of building was assured for the Garner Tract and we are ready to start next week. We can't wait until August 31, 1959.

In September 1959 we were told that \$450,000.00 of construction was "in the bag" and on October 4th a New York group was coming over to sign up for \$400,000.00 more of construction.

None of this came to pass.

Personally, I believe Council has put in enough time, if not more than enough time listening to a lot of meaningless words.

Now we are hearing reports that everyone knows a Penn Fruit is coming to Hatboro. It seems to me that everyone knows it except Penn Fruit.

In retrospect business in Hatboro strangled itself since 1940 and now is determined to continue the strangulation process - but always saying the Borough Council did it.

Continued

Letter of Dr. Williams' continued.

Respectfully submitted this 7th day
of April 1960
Dr. R. W. Williams

I.S. Any person who can make any sense out of this, simply does not understand the situation.

* * * * *

The following bills were presented by the Secretary and approved by the Council for payment:

<u>Vo.#</u>	<u>Vendor</u>	
954	Fidelity Companies	\$ 29.55
955	Erwin Printing, Inc.	19.00
956	Erwin Printing, Inc.	41.75
957	Chelten Auto Glass	13.14
958	Cameron Sanitary Landfill, Inc.	122.00
959	Bristol Printing Co.	8.68
960	Brooks Paint Store	4.90
961	Jim Banes Ford, Inc.	93.03
962	J. I. Holcomb Mfg. Co., Inc.	13.84
963	Bux-Mont Office Supply Co.	14.32
964	Bux-Mont Cleaners, Inc.	7.75
965	Raymond H. Acuff	32.25
966	American Pamcor, Inc.	11.13
967	Hatboro Hardware Co.	2.15
968	Philadelphia Electric Co.	12.10
969	J. Fegely & Son Hardware Co.	14.30
970	Mr. John J. Gintowt	187.50
971	Homelite, Div. Textron, Inc.	9.47
972	Mr. Knox Henderson	125.00
973	Ditto	8.00
974	Hatboro Borough Authority	1,141.44
975	Wm. Hobensack's Sons	2.64
976	Hatboro Lumber & Fuel Co.	11.63
977	Hirsch Tyler Company	235.25
978	Hatboro Cycle Shop	.50
979	Hatboro Borough Authority	9.74
980	Hatboro Borough Authority	518.75
981	The Intelligencer Co.	214.50
982	Keystone Hi-Way Traffic Equip. Co.	237.60
983	W. F. Keegan & Co.	14.02
984	Local Government Service	3.00
985	Lou's Sunoco Station	22.06
986	Miller & Cornell, Inc.	123.20
987	Mitchell & Ness	19.25
988	Thomas A. McClurken	10.35
989	Treasurer Montgomery County	14.91

<u>Vo.#</u>	<u>Vendor</u>	
990	Montgomery County Boroughs' Asso.	\$ 30.00
991	Geo. J. Mayer Co., Inc.	47.32
992	E. S. McVaugh	2.00
993	Philadelphia National Bank	35.01
994	Philadelphia Electric Co.	894.25
995	Philadelphia Electric Co.	23.08
996	Sinclair Refining Co.	292.41
997	Sportsman's Den	54.80
998	I. M. Jarrett	89.70
999	I. M. Jarrett	3.00
1000	William H. Speakman	1.50
1001	Salt Service, Inc.	79.50
1002	Superior Spring & Axle Works, Inc.	85.07
1003	Smith Chevrolet Co.	2.50
1004	Upper Moreland-Hatboro Joint Sewer Auth.	21.24
1005	J. B. Winder, Jr.	21.20
1006	K. H. Riesselmann	72.00
1007	J. Alvin Wolverton	6.00
1008	Eureka Stone Quarry, Inc.	52.57
1009	Bell Telephone Co.	129.79
1010	Accounting Adjustment	--
1011	Internal Revenue Service	881.81

A motion was made by Dr. Brooks, seconded by Mr. Rudolph and approved by the Council, to adjourn the meeting, the hour being 10:30 P.M.

Thomas A. McCluskey
Secretary

Hatboro, Pa.
April 29, 1960

A special meeting of the Borough Council was held on the above date in the Municipal Building for the purpose of meeting with Messrs. Gumburg and Berlin in connection with the Garner-Lucy Barnes development plans; for receiving a petition for a zoning change for the Kirk property at Moreland Avenue and the Reading Railroad from Retail to Residential-C and to discuss any other business to come before the Council.

The meeting was called to order at 8:20 P.M. by President Platten with the following present: Councilmen Mosetter, Bracks, Platten, Maigler, Rudolph and Gaither; Burgess Williams, Solicitor Henderson, Treasurer Gintowt, one press representative and approximately 12 residents.

Mr. Platten presented the application of Mrs. Kirk and Mrs. Friedman requesting a zoning change from Retail to Residential-C for the Kirk property at East Moreland Avenue and the Reading Railroad. Mr. Platten discussed the plot plan and the possibility that the borough may extend Jacksonville Road south from Moreland Avenue to Byberry Avenue through the property in question.

Mr. Platten also presented the application of Cochrane, Feldman and Schieber requesting a zoning change from Residential-A to Residential-C for the rear portion of the Schieber property located on the east side of York Road, north of Summit Avenue.

Mr. Platten presented the application of Ben Lichtenstein requesting a zoning change for the front portion of the property located at the southwest corner of York Road and Horsham Road, from Residential-C to Residential-D parking. The purpose of this change is to provide a parking area for the Old Mill Tea Room, located across Horsham Road to the north. Noting that the plan attached to the Lichtenstein application was not an approved plan the Secretary was directed to withhold advertising the zoning change notice until an adequate plot plan is received.

A motion was made by Mr. Mosetter, seconded by Mrs. Gaither and approved by the Council, to adopt the following resolution setting the hearing date for the above zoning applications at May 23, 1960 and ordering that proper notices be published and posted on the properties.

RESOLUTION

The Council of the Borough of Hatboro hereby resolves:

1- That a revision of the Zoning Map of the Borough of Hatboro to provide for the reclassification of ground as indicated in the form of notice listed below be and the same is hereby proposed.

2- That May 23, 1960 at 8 P.M. o'clock be fixed as the time and the Municipal Building, Hatboro, as the place of a public hearing to be held on the said proposed revision.

3- That notice of the proposed revision and of the time and place for the public hearing thereon be given by publication by the Secretary of notice thereof in a newspaper of general circulation in the Borough.

4- The form of the said notice shall be as follows:

"Notice is hereby given that the Council of the Borough of Hatboro will consider at a Zoning Hearing to be held May 23, 1960 at 8 P.M. at the Municipal Building, Hatboro, the following:

Petition of WILMA KIRK and E. R. Friedman to revise zoning classification of lot at 118 E. Moreland Avenue from R-Retail to C-Residential.

Petition of W. J. Cochrane, Jr., G. B. HEIDMAN, JR. and JOHN and GERTRUDE SCHIEBER to revise zoning classification of the rear portion of property on York Road, approximately 400 ft. north of Summit Avenue from A-Residential to C-Residential.

Petition of BEN LICHTENSTEIN to revise zoning classification of the front portion (approx. 160') of the property at 400 South York Road, from C-Residential to D-Residential Parking.

A Public Hearing on the above proposed revision will be held at the Municipal Building, Hatboro, Pa. on May 23, 1960, at 8 P.M. at which time full opportunity to be heard will be given to any citizen or parties in interest attending such hearing.

5- That notice of the proposed revision also be given by the posting upon said premises affected by the proposed change a copy of the foregoing notice at such place or places as the Zoning Officer directs.

6- That the proposed revision be submitted to the Planning Commission with the request that a report be submitted to Council with respect to its opinion regarding such revision prior to the date of the regular meeting of Council at which said revision is to be considered.

There was a discussion of the subdivision plan of Bernie Shay for the property at the southeast corner of York Road and Monument Avenue in which the present three stores are being subdivided from the balance of the Bernie Shay property. These three stores were sold in October 1958 without the proper subdivision approval by

by the Council and Planning Commission. It was agreed that copies of the plan should be furnished to all councilmen for review and consideration at the next meeting.

The Secretary presented for the council's consideration a subdivision plan for the Schieber property on North York Road, north of Summit Avenue, to indicate the sale of approximately 162,000 sq. ft. at the south end of the property for the possible erection of multiple dwellings. The plan was referred to the Planning Commission for review and recommendation at the next meeting of Council.

The Secretary read a letter received from the Hatboro Baseball Council advising that plans are being made to install toilet facilities on the property of the Hatboro Borough Authority on which is located the playing fields of the Baseball Council on County Line Road at Blair Mill Road. In this connection a sewer connection is required and the approval of the Borough Council is requested so that plans may be completed.

Following a discussion a motion was made by Dr. Brooks, seconded by Mr. Haigler and approved by the Council to agree in principle to the above sewer connection pending receipt of a written agreement from the Sewer Authority to be submitted to the Council for review and approval.

President Platten presented a letter from Philip Newman of Newman & Master, agents for the Lucy Barnes-Garner property, dated April 22, 1960 in connection with the plans for development of a municipal parking lot and retail stores on the property. Mr. Sam Gamburg advised that he was present at the meeting to discuss this matter in order that a final agreement may be arrived at to get the project under way. The lighting plan for the parking lot was reviewed and the storm drainage plan taking care of the parking lot water was also reviewed. Mr. Gamburg recommended that the presently conducted storm drainage survey be used as a guide in determining the size of the storm water drainage pipe to be installed through the Garner property. Mr. Platten indicated that the survey now being conducted may offer several solutions to choose from and it may be several years before the borough may have the funds to complete the installation. The recommendation of Mr. Gamburg indicated that storm water entering the lot other than the parking lot water, must be diverted and the saving in the installation of the piping through the Garner property given to the developers.

There was a discussion concerning the entrance to the parking lot from Penn Street. Mr. Gamburg recommended that a sidewalk be placed on the north side of the Penn Street entrance and that no curbing be installed on the south side of the entrance. It was also indicated by Mr. Gamburg that the York Road entrance be a 24' wide cartway with a 4' pavement on the south side of the entrance to a distance of 200' east from York Road. Mr. Gamburg also recommended that an application be sent to the County Commissioners for aid in providing the street lighting on the parking

lot. Mr. Platten indicated that he did not believe that county funds were available to apply against street lighting costs on a parking lot. Mr. Platten indicated that county aid might be available to be used on the entrances to the parking lot at both the York Road and the Penn Street sides.

Mr. Haigler questioned the grade of the lot and indicated that there appears to be several places where steep grades are planned. He also pointed out that the question of grades is important as the addition of future ground at the rear of the Byberry and Moreland Avenue properties may not match up with the parking lot grade.

It was noted that Mr. Newman's letter recommended that the parking requirements contained in the zoning ordinance be eliminated for the Penn Fruit store, the 47½' frontage on York Road and the Penn Street frontage for future construction on these pieces of ground. Mr. Platten indicated that jurisdiction for the providing of parking comes under the Zoning Board of Adjustment. Mr. Gamburg indicated that in this matter it had been previously agreed that the parking requirement would be forgiven for the above three locations. Following a discussion Mr. Gamburg agreed as suggested that the Penn Street frontage parcel of ground be omitted from those parcels being excused from parking requirement. In a discussion concerning whether all of the parking would be free parking, Mr. Gamburg suggested that a three hour limit be placed on the shopper parking.

Mr. Platten called on the councilmen for definite action on this matter. Most of the councilmen indicated that they were not prepared to cast a definite vote at this time. Mr. Gamburg indicated that the Penn Fruit Company is pressing for a firm agreement in order to start building at the earliest possible date. He further indicated that June 30, 1960, appeared to be the last possible date for Penn Fruit in making their decision as to constructing in Hatboro.

Dr. Brooks discussing the action taken by Vick Chemical Company in deciding not to construct a distribution warehouse on their property on Warminster Road, indicated that he had talked to the agent for the property and advised that the agent desired that all politics be kept out future plans for use of the property. Dr. Brooks further advised that he knew that the Food Fair Company had looked over the property as a possible development of a shopping center and indicated that they had stated that there was room for 5400 car parking in the development. It was agreed that the possible development of the Vick Chemical property be referred to the Planning Commission for review as to possible use in the future.

Mr. Rudolph announced that the Public Health and Safety Committee would hold a regular committee meeting on Wednesday Evening, May 4.

Mr. Haigler indicated that several complaints had been

received from residents of the west side of South York Road in connection with the grading of the driveways after the curbing installation.

Miss Chianta of Chester Avenue and Monument Avenue, presented a complaint concerning the using of her driveway by motorists for turning around. Her complaint was referred to the Public Health and Safety Committee for review.

A motion was made by Mr. Mosetter, seconded by Dr. Brooks and approved by the Council to adjourn the meeting, the hour being 10:40 P.M.

T. H. O'Quinn
Secretary

Hatboro, Pa.
May 9, 1960

The regular meeting of the Borough Council was held in the Council Room on the above date.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen Platten, Brooks, Haigler, Gaither, Mosetter, Hillas and Rudolph; Burgess Williams, Treasurer Gintowt, Engineer Haggerty, Solicitor Henderson, Superintendent Stauch, Chief of Police Dudbridge, two press representatives and twelve residents.

The invocation was given by Burgess Williams.

In accordance with advertising the following bids were opened and publicly read for the reconstruction and paving of Horsham Road from York Road west to the borough line.

<u>Bidder</u>	<u>Section #1</u>	<u>Section #2</u>	<u>Total Bid</u>
P. S. Stauffer & Sons	\$ 35,141.25	8,817.81	43,959.06
Miller & Sons	33,548.81	11,250.10	44,798.91
Broomall Construction Co.	35,512.75	9,750.50	45,263.25
Saba Construction Co.	35,470.60	11,243.65	46,714.25
Glasgow, Inc.	37,601.75	10,022.75	47,624.50
P. W. Longsdorf	37,128.95	11,358.60	48,487.55
Slaw-Landis Paving Co.	40,169.50	9,395.79	49,565.29
Harris Gramm, Inc.	38,187.35	11,578.20	49,765.55
Tri County Constructors	41,469.20	10,839.50	52,308.70
Carbone Bros. & Co.	45,830.90	11,212.40	57,043.30

Mr. Platten discussed the above bids and indicated that he plans to meet with the Montgomery County Commissioners this week concerning the work to be done on Horsham Road. Mr. Platten announced that the contracts would be awarded on June 13, 1960.

The minutes of the Council meetings of April 4 and April 11 were presented for review and approval. A motion was made by Dr. Brooks, seconded by Mr. Rudolph and approved by the Council to approve the above minutes.

Treasurer Gintowt presented the budget report and Treasurer's report for the month of April 1960. He indicated that the cash balance at April 30, 1960 was \$1936.15. With two additional payrolls and invoices presented for approval tonight he recommended that an additional \$10,000 be borrowed. Mr. Gintowt further pointed out that receipts from the real estate transfer tax are approximately \$3,000 less than for a similar period in 1959. Mr. Gintowt advised that a check in the amount of \$11,070.77 has been received from the State for the 90% of the gasoline tax refund for the State Highway Fund. Receipt of a check in the amount of \$2534.68 covering the foreign fire insurance tax was reported which was turned over to the fire company relief fund treasurer. A motion was made by Mr. Mosetter, seconded by Mrs. Gaither and approved by the Council to

accept the treasurer's report as indicated above.

Mr. Rudolph reporting for the Public Health and Safety Committee presented the Activity Report for the Police Department for the month of April.

Mr. Rudolph presented a recommendation from the committee that Police Sergeant Harry Weaks be retired from the Police Department effective June 1, 1960, taking account of Mr. Weaks age of 66 years and his recent medical history, including a slight stroke which had removed him from service from February 18 to the present date. Mr. Weaks is to remain on half-pay status until June 1, 1960 with two weeks additional pay being made for the usual earned vacation allowance. Mr. Rudolph reported that it is the desire of the committee that Mr. Weaks be retained in some capacity such as desk man, a position in which his past experience as a police officer could continue to be of value to the borough, without entailing the exposure to emergency situations to be encountered in regular police work. The above plan has been suggested to Mr. Weaks but no definite decision has been indicated by him. Details of Mr. Weaks case will be referred to the Police Pension Fund Committee for review and recommendation.

Mr. Rudolph presented a certified list received from the Police Civil Service Commission indicating that the following candidates are available for appointment to the Police Department:

William C. White, Warminster, Pa.
William L. O'Shea, Hatboro, Pa.
Charles H. Penglase, Doylestown, Pa.
Richard V. Alldred, Horsham, Pa.
David R. Miller, Warminster, Pa.
Angelo M. Stellander, Warminster, Pa.

Mr. Rudolph presented a recommendation from the committee that Mr. White and Mr. O'Shea be appointed to the Police Department.

A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to appoint William C. White to the position of patrolman in the Hatboro Police Department effective May 16, 1960, at a salary of \$1950 for the first six months and \$2175 for the second six months.

Mr. Platten pointed out that Mr. O'Shea is the only Hatboro resident on the Civil Service list and that O'Shea and White were the candidates with the highest ratings.

A motion was made by Mr. Rudolph, seconded by Mr. Haigler and approved by the Council to appoint Mr. William L. O'Shea to the position of patrolman in the Hatboro Police Department effective May 16, 1960 or as soon thereafter as possible, but not later than June 1, 1960, at a salary of \$1950 for the first six months and \$2175 for the second six months.

Mr. Rudolph presented a proposed ordinance governing the construction and use of private swimming pools. The ordinance was read by the Secretary. Following a discussion in which there were questions raised concerning several sections, Mr. Platten referred the ordinance to the Public Health and Safety Committee for revision and submission at the May 23 Council meeting. Dr. Brooks presented the following minority report as a member of the Public Health and Safety Committee indicating his comments on the above ordinance.

RE: AN ORDINANCE REGULATING THE SIZE, CONSTRUCTION AND OPERATION OF PRIVATE SWIMMING POOLS IN THE BOROUGH OF HATBORO

With respect to the above ordinance, Section 1 is within the scope of the Borough's jurisdiction and points out that a swimming pool must comply with the requirements of the Borough's Zoning Ordinance.

Section 2, requiring complete enclosure of the pool should not specify fence since enclosures can be built which are not fences (in the true sense of the definition) and will serve the purpose of protecting the public while being more attractive.

Sections 3 and 4 call for the application of a building permit and the filing of plans and specifications along with a fee for filing such application and these sections are in line with our building procedures for other structures.

Section 5 "The Borough reserves the right to require laboratory test of water and to inspect the operation of the pool by the health official". This section infringes on the privacy and inherent rights of individuals and also is another example of government seeking to interfere with personal rights.

The Borough does not reserve the right to test the drinking water of properties within the Borough that are not connected to the municipal water system. Since a private pool is for the use of a family, its relatives, and its friends - it does not follow that this Section is inserted for the public protection because the public does not use the pool.

If an individual wants to swim or bathe in a contaminated pool - that is his prerogative. If a pool owner does not practice sanitary procedures in the operation of his pool, that is his right and his family will suffer - not the public at large.

The word private is defined as "Of or concerning an individual person or interest; personal; not public; secret; secluded; solitary, etc." Any regulation of the Borough which detracts from the privacy of an individual is not in keeping with the basic foundations of our democracy.

A pool owner is placed at the mercy of the health officer who could require costly tests frequently if any condition such as pink eye, infected ears, impetigo, etc. are discovered in the Borough. If the tests are to be run properly, outside laboratory facilities will have to be used.

Continued

We are closely approaching the time when "Big Brother" will tell us when to eat, when to work, when to build, when to marry, when to have children, and when to die. Each ordinance enacted which infringes on the private actions of an individual brings the above time closer to reality and I, for one, object strenuously to the insertion of Section 5 in the Pool Ordinance.

Too often in government, the individual is subjected to expense at the whim of the legislators and a classic example of this is the recent "payola" investigations in Washington. I do not see any legislative team investigating the payola to Congressmen and Senators and asking them to list the gifts they received at Christmas. I do not see any Congressman asking the President of the United States to testify what free cattle, landscaping, and thousands of other items he has received during his tenure of office.

If the Borough reserves the right to have a pool owner test his water, then it should also reserve the right to test his drinking cups and glasses to insure the fact that the housekeeping practices of the housewife are up to par.

The Borough might also consider an ordinance reserving the right to inspect and test bathrooms in private homes especially where children are housed since pin worms are spread from insani-tary bowls and there have been numerous cases of pin worm infestations in Hatboro children.

Personal rights are slowly being eliminated by laws at the Federal, State, County, and local levels. If I desire to swim in a cesspool, I do not feel that any agency has the right to stop me as long as I am the only one being affected.

Respectfully submitted as a minority report, this 9th day of May, 1960.

(signed) Eugene I. Brooks

Mr. Rudolph reported that a letter had been received from the Pennsylvania Secretary of Highways indicating that the borough has jurisdiction over curbs on all highways in the borough. This jurisdiction applies to the curb question at the Nu Life Cleaners building, at 340 south York Road owned by Meade and Wolf. Noting that the curb cut permit issued by the State Highway Department was granted in error the committee recommends that Mr. Meade be instructed to return the curb to its former condition. A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to adopt the following resolution:

RESOLUTION

WHEREAS, a curb cut permit was issued by the State Highway Department without consulting the Borough of Hatboro, and

WHEREAS, the Borough recognizes the hazard to pedestrian and vehicular traffic in permitting drive-in feature to be constructed and operated, and

WHEREAS, the State Highway Department has acknowledged that the Borough of Hatboro has jurisdiction in all curb matters,

NOW, THEREFORE BE IT RESOLVED, That the owners of the property at 340-350 South York Road, Hatboro, are hereby required to restore the curb at the above property to its original status within fifteen (15) days from May 9, 1960 at no expense to the Borough.

Mr. Haigler pointed out the curb plan submitted by Mr. Meade to the State in connection with the curb revision permit if submitted to the borough would have resulted in the denial of the building permit for the Nu Life Cleaners building.

Mr. Hillas questioned the legal status of the Meade-Wolf case. Mr. Henderson advised that the case is awaiting trial on the equity trial list and may require amending to include the question on the curb construction in addition to the original case involving the use of the front yard in violation of the zoning ordinance.

Mr. Rudolph advised that Mrs. Gaither had held a meeting with Mr. Frey and Mr. Hoffman of the State Health Department in connection with the establishing of a borough health program. A further report will be submitted at a later meeting.

Mr. Rudolph presented a letter received from the County Commissioners indicating that a county mosquito control program is being planned. The letter further indicated that a budget appropriation for spraying has been made and that the county will pay a portion of the costs if the work is done by the borough after county approval.

Mr. Rudolph advised that after further investigation of the possibility of using a special gun for aiding in the capture of dogs it was found by the committee that the gun was not suitable for Hatboro.

Mr. Rudolph discussed action to be taken to demolish the Ivycrest Dairy building. The Maintenance Department has been directed to prepare cost estimates and to proceed to complete the job and assess the charges to the owner.

Mr. Rudolph read a letter from the Cornell Real Estate Agency accompanying a plot plan asking for council's approval of a subdivision of the former Jackson property at the northwest corner of Broad Street and Moreland Avenue. The request was referred to the Planning Commission for review and recommendation.

Following a discussion a motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to authorize the continuing of temporary "No Parking" regulations on Madison Avenue at York Road to June 13, 1960.

Mr. Platten discussed the requirements for the Municipal Employees Pension Fund as to appointing a trustee, approving a fee schedule for the trustee and approving a trust agreement. Mr. Platten further pointed out that a committee is needed to administer the Fund and recommended the combining of the Police Pension Fund Committee with the Municipal Employees Fund Committee into a combined committee of five members.

A motion was made by Mr. Platten, seconded by Mr. Haigler and approved by the Council to adopt the following resolution:

RESOLUTION

RESOLVED, That the existing Police Pension Fund Committee of three members be combined with two additional members to constitute the Hatboro Pension Fund Committee to take care of all pension matters of the Borough.

A motion was made by Mrs. Gaither, seconded by Mr. Haigler and approved by the Council to appoint Mr. Edward O. Stauch as a member of the Hatboro Pension Fund Committee.

In order to appoint a trustee and to approve the new trust agreement, a motion was made by Mr. Platten, seconded by Mr. Rudolph and approved by the Council to adopt the following resolutions:

RESOLUTION

RESOLVED, That PHILADELPHIA NATIONAL BANK, a National Banking Association, be and the same is hereby appointed Trustee of the Municipal Employees Pension Fund heretofore created by Ordinance No. 336, approved March 14, 1960, and the President and Secretary subject to the approval of the Burgess, are authorized and directed to execute and deliver to the Trustee a trust agreement in form similar to that presented to the meeting and in form acceptable to the Solicitor to carry out the intent and purpose of Section 9 of the said ordinance.

RESOLUTION

RESOLVED, That the following fee schedule of the Philadelphia National Bank for acting as Trustee of the Municipal Employees Pension Fund of the Borough of Hatboro be and is hereby accepted.

"For Trust Funds invested by the Trustee:

Continued

Resolution Continued:

Annual Fee - on market value of Fund, including cash and accruals:

On first \$100,000 - \$5.00 per \$1,000 (1/2 of 1%)
 On next \$200,000 - \$4.00 per \$1,000 (4/10 of 1%)
 On next \$300,000 - \$3.00 per \$1,000 (3/10 of 1%)
 On next \$400,000 - \$2.00 per \$1,000 (2/10 of 1%)

For any life insurance portion:

1/4 of 1% of employer's premiums paid annually. \$4.00 per insurance contract (primary or supplementary) up to 75 contracts.

\$3.00 per contract on all over 75 contracts.

\$3.00 per account for keeping individual accounts on annual basis.

Withdrawal fee for permanent withdrawal of any contract for other than retirement or reissue - \$10.00

Annual minimum fee - \$150.00"

Mr. Haigler reporting for the Highway Committee recommended that the bid for the purchase of motor oil be awarded to R. L. Stott Company, low bidder. A motion was made by Mr. Haigler, seconded by Mr. Rudolph and approved by the Council to award the bid for the purchase of motor oil for the year beginning April 1, 1960 to R. L. Stott Company, at a bid price of \$.53¢ per gallon plus tax.

Mr. Haigler discussed the awarding of a bid for the purchase of a new dump truck for the Maintenance Department. It was pointed out that A. P. Liebold, Inc., Bethayres, Pa. is low bidder by \$5 less than the local Ford dealer. Mr. Hillas discussed the question of body specifications and questioned the quality of the type body to be furnished. Dr. Brooks cited additional costs involved in traveling out of town for needed service as it relates to the \$5 difference between the two low bidders.

A motion was made by Mr. Haigler, seconded by Mr. Rudolph, to award the contract for the purchase of a 1960 model Ford F350, 6 cylinder dump truck, equipped with a Model C5530 Cresci body, to A. P. Liebold, Inc., Bethayres, Pa., at a bid price of \$2609.71, after trade-in of a 1948 Dodge dump truck, with delivery to be within 30 days. The vote on the motion was: In favor--Messrs. Platten, Haigler, Rudolph, Brooks, Mosetter and Mrs. Gaither; Against--Mr. Hillas.

Mr. Haigler questioned Engineer Haggerty concerning the status of the curb job on South York Road. Mr. Haggerty advised that complaints have been received from seven residents with drive-ways fronting on York Road, due to the steepness of the grade causing cars to scrape. The complaints of the residents were referred to the Highway Committee for inspection and review and authority

to direct that correcting action be taken by the contractor.

Mr. Flatten indicated that assessment lists for the curbing work be completed in time for the May 23 meeting.

Dr. Brooks reported that changes to the street lights on York Road are expected to be completed within 30 days.

Dr. Brooks advised that pool memberships are available through the mail from Mr. Knipe of the Park Board and that memberships will be sold at the pool beginning Saturday, May 14, 1960.

Dr. Brooks reported that he had authorized a builder to examine the Loller School building to determine needed changes if the borough uses it as a community building. It was agreed by Council that a signed agreement granting permission to use the building should be obtained from the School Board before any other action is taken. Burgess Williams indicated that he is planning a meeting with the School Board on this matter.

Solicitor Henderson reported that the court cases for the two gas station appeals will be heard on May 10, 1960. The Koehler Appeal on the proposed apartment houses on Horsham Road was heard last week and briefs will be filed shortly. The other court cases are in the process of being filed and heard.

Dr. Brooks pointed out that the Zoning Code requires review and amending and expects that the sign and parking provisions will be challenged in the very near future. After noting that there is an excess of zoning cases both before the Council and the Zoning Board, Mr. Platten recommended that the Planning Commission and Zoning Board cooperate in a review of the Zoning Code as to needed changes and revisions.

Mr. Platten presented the following draft of a proposed agreement covering all items in question concerning the Lucy Barnes-Garner parking lot development:

Upon compliance by the parties hereto other than the Borough of Hatboro with conditions set forth in numbered paragraphs 1-11 inclusive, the Borough will accept and perform certain undertakings hereinafter specified in numbered paragraph 12:

1. The tract of ground, the subject of the proposal, is that ground conveyed to certain individuals (developers) by S. Carl Garner, exclusive of one part thereof with a frontage on York Road of 47.5 feet and a depth of 225.0 feet and of a second part thereof with a frontage on Penn Street of 204.92 feet and a depth of 250.0 feet.

2. Parties other than the Borough, shall improve the said

tract as and for a public parking area; included in such improvement shall be grading, lighting, paving, draining (inclusive of present storm waters), lining and other construction to the Borough's reasonable requirements and specifications first had and secured prior to construction.

3. Access to the said tract so improved shall be provided, and easements therefor granted and recorded, by parties other than the Borough at no cost to the Borough by means of:

(a) an entrance from York Road (approximate location as shown on Crouthamel drawing #) having a cartway width of not less than 24.0 feet with a curb and sidewalk on the north side thereof, the width of the sidewalk being not less than 6.0 feet; and

(b) an entrance from Penn Street (approximate location as shown on Crouthamel drawing #) the southerly edge thereof being the southerly property line, with a cartway of not less nor more than 24.0 feet at Penn Street, with a 6.0 feet wide sidewalk on the north side only, and with curbs on both sides, all to a minimum depth of 200.0 feet.

4. A bloc of not less than one hundred car spaces is allocable by the Borough, at its election, at any time or from time to time as and for commuter parking, which may be fenced off or metered as the Borough shall determine at its exclusive option, provided that the said spaces shall be available to the general public on an equal basis with the remainder of the tract during the periods between 7:00 p.m. to 6:30 a.m. the location of the bloc to be at the easterly side of the tract.

5. Traffic flow into and out of the tract whether or not by the entrances heretofore described or hereafter provided by whomever, as well as parking restrictions applied to York Road at anytime hereafter, shall be and remain in the exclusive control of the Borough.

6. The two reserved parcels heretofore mentioned shall not be entitled solely by reason of the entering into this agreement to relief from the off-street parking requirements contained in the Borough's zoning code.

7. Any use of the Penn Street frontage reserved hereunder shall have as its front yard the ground fronting on Penn Street, as these terms are customarily used, and any deed conveying the said tract to the Borough shall describe the entire S. Carl Garner property excepting and reserving the two parcels as aforesaid with the requirement in this paragraph provided expressed as a prohibition.

8. As alternatives to the requirements for the York Road entrance as aforesaid, at the election and expense of parties other than the Borough, the following construction may be provided:

(a) the cartway of the said entrance shall be not less than 24.0 feet wide with two (2) 4.0 feet wide sidewalks with curbs, one on the south side and one on the north side of the said cartway; or

(b) a 10.0 feet wide promanade to York Road with one entrance having a cartway width of exactly 24.0 feet wide (with no sidewalks or curbs) off of Byberry Avenue and off of Moreland Avenue.

9. All entrances shall be and remain driveways with easements without cost or fee granted to the Borough as aforesaid in form satisfactory to the Borough's Solicitor.

10. This resolution shall not become effective:

(1) unless and until there is presented to the Council for its retention a fully and duly executed duplicate original (or certified photographic reproduction) of the agreement between the parties other than the Borough and the Penn Fruit Company providing for the construction and use of a super food market with an interior retail sales space area of not less than 16,000.0 square feet and with a guaranteed occupancy and use thereof by the said Penn Fruit Company (or comparable food chain) as and for an exclusively retail food market for a period of not less than twenty (20) years; and

(2) until the same is presented by the President of Council to the Burgess of Hatboro for his approval. When, as and if he shall approve, the same shall become effective, subject to the full and correct compliance by parties hereto other than the Borough of their obligations hereunder by them to be performed, such performance always to be subject to the right of the Borough to inspect the progress of the work for compliance herewith and with the Borough's specifications therefore and to require correct compliance. If the Burgess shall disapprove and veto the said resolution, this resolution shall become effective subject as aforesaid, if the Council shall override the veto according to the law as in other cases provided.

12. When, as and if the foregoing conditions have been fully fulfilled, completed and performed by parties other than the Borough by them to be performed, all to the reasonable satisfaction of the Borough, then and in that event only, the Borough shall accept the tender of a duly executed and acknowledge special warranty fee simple deed to the said tract wherein the grantee shall be the Borough of Hatboro, accompanied by a title insurance policy issued by a title company having a branch office in the borough in favor of the Borough and disclosing a good and marketable title, the said documents to be accompanied by a survey by a registered professional engineer plotting the courses and distances of the ground conveyed and a complete set of construction drawings, all to be delivered to the Borough at settlement free

and clear of all taxes, stamps, fees and other charges of whatsoever kind. The said deed may contain clauses placing on the Borough the sole and exclusive obligation to use, operate and maintain all improvements constructed on the ground conveyed as and for a free municipal parking area unless and until a court of record in Montgomery County shall find and determine that the use thereof as a free or as a municipal parking area is no longer appropriate or in accord with the original intention (of which this agreement may be evidence thereof) of the parties hereto, then and in such event the restrictive clauses shall cease and determine.

Copies of the above agreement have been furnished to all councilmen for review.

Following a discussion in which the above proposal was reviewed, and amended, a motion was made by Mr. Platten, seconded by Mr. Hillas, with the majority of council approving the following resolution:

RESOLUTION

RESOLVED, Upon compliance by the parties hereto other than the Borough of Hatboro with conditions set forth in numbered paragraphs 1-10 inclusive, the Borough will accept and perform certain undertakings hereinafter specified in numbered paragraph 11:

1. The tract of ground, the subject of the proposal, is that ground conveyed to certain individuals (developers) by S. Carl Garner, exclusive of one part thereof with a frontage on York Road of 47.5 feet and a depth of 225.0 feet and of a second part thereof with a frontage on Penn Street of 130.0[±] feet and a depth of 250.0 feet.

2. Parties other than the Borough, shall improve the said tract as and for a public parking area; included in such improvement shall be grading, lighting, paving, draining (inclusive of present storm waters), lining and other construction to the Borough's reasonable requirements and specifications first had and secured prior to construction.

3. Access to the said tract so improved shall be provided, and easements therefor granted and recorded, by parties other than the Borough at no cost to the Borough by means of:

(a) an entrance from York Road (approximate location as shown on Crouthamel drawing dated February 3, 1960) having a cartway width of not less than 24.0 feet with a curb and sidewalk on the north side thereof, the width of the sidewalk being not less than 6.0 feet; and

(b) an entrance from Penn Street (approximate location as shown on Crouthamel drawing dated February 3, 1960) the southerly

edge thereof being the southerly property line, with a cartway of not less nor more than 36.0 feet at Penn Street, with a 6.0 feet wide sidewalk on the north side only, and with a curb on the north side to a depth not to exceed 250.0 feet and on the south side to a depth not to exceed 110.0 feet.

4. As alternatives to the requirements for the York Road entrance as aforesaid, at the election and expense of parties other than the Borough, the following construction may be provided:

(a) the cartway of the said York Road entrance shall be not less than 24.0 feet wide with two (2) 4.0 feet wide sidewalks with curbs, one on the south side and one on the north side of the said cartway; or

(b) a 10.0 feet wide promenade to York Road, with entrances each having a cartway width of exactly 24.0 feet wide (with no sidewalks or curbs), and constructed off of Byberry Avenue and off of Moreland Avenue, provided further, if these two additional entrances are constructed as aforesaid, the Penn Street cartway width may be reduced to 24.0 feet.

5. A bloc of not less than one hundred car spaces shall be allocable by the Borough, at its election, at any time or from time to time as and for commuter (pay or free) parking, which may be fenced off or metered as the Borough shall determine at its exclusive option, provided that the said spaces shall be available to the general public on a basis equal with the remainder of the tract during the periods between 7:00 p.m. to 6:30 a.m., the location of the bloc to be at the easterly side of the tract.

6. Traffic flow into and out of the tract whether or not by the entrances hereinbefore described or hereafter provided by whomsoever, as well as parking restrictions applied to York Road or any other street at anytime hereafter, shall be and remain in the exclusive control of the Borough.

7. The two reserved parcels heretofore mentioned shall not be entitled solely by reason hereof to relief from the off-street parking requirements contained in the Borough's zoning code.

8. Any use of the Penn Street frontage reserved hereunder shall have as its front yard the ground fronting on Penn Street and any deed conveying the said tract to the Borough shall describe the entire S. Carl Garner property excepting and reserving the two parcels as aforesaid, with the requirement in this paragraph 8 expressed as a prohibition.

9. All entrances constructed shall be and remain private driveways with easements without cost or fee granted to the Borough as aforesaid in form satisfactory to the Borough's Solicitor.

10. This resolution shall not become effective:

(a) unless and until there is presented to the Council for its retention a fully and duly executed duplicate original (or certified photographic reproduction) of the agreement between the parties other than the Borough and the Penn Fruit Company (or comparable food chain) in respect of the York Road property owned by Mr. Hoffman which shall provide for the construction and use of a retail food market with an interior retail sales space area of not less than 16,000.0 square feet and with a guaranteed occupancy and use thereof by the said Penn Fruit Company (or comparable food chain) as and for an exclusively retail food market for a period of not less than twenty (20) years; and

(b) until the same is presented by the President of Council to the Burgess of Hatboro for his approval. When, as and if he shall approve, the same shall become effective, subject to the full and correct compliance by parties hereto other than the Borough of their obligations hereunder by them to be performed, such performance always to be subject to the right of the Borough to inspect the progress of the work for compliance herewith and with the Borough's specifications and to require correct compliance. If the Burgess shall disapprove and veto the said resolution, this resolution shall become effective subject as aforesaid, if the Council shall override the veto according to the law as in other cases provided.

11. When, as and if the foregoing conditions have been fully fulfilled, completed and performed by parties other than the Borough by them to be performed, all to the reasonable satisfaction of the Borough, then and in that event only, the Borough shall (1) receive into storm drainage facilities presently constructed or to be constructed by it, all storm water now or hereafter passing through the said tract plus the flow of storm water now or hereafter being generated on the said tract as improved in accordance herewith in storm drainage facilities to be supplied in compliance with Paragraph 3 hereof, such point at or near the southwesterly point of the said tract as the Borough may in its exclusive judgment select; and (2) accept the tender of a duly executed and acknowledged special warranty fee simple deed to the said tract wherein the grantee shall be the Borough of Hatboro, such deed to be accompanied by a title insurance policy in favor of the Borough issued by a title company having a branch office in the Borough and disclosing a good and marketable title, the said documents to be accompanied by a survey by a registered professional engineer plotting the courses and distances of the ground conveyed and by a complete set of construction drawings, all to be delivered to the Borough at settlement free and clear of all taxes, stamps, fees and other charges of whatsoever kind. The said deed may contain clauses placing on the Borough the sole and exclusive obligation to use, operate and maintain all improvements constructed on the ground conveyed as and for a free municipal parking area unless and until a court of record in Montgomery County shall find and determine that the use thereof

as a free or as a municipal parking area is no longer appropriate or in accord with the original intention (of which this agreement may be some evidence thereof) of the parties hereto, then and in such event these restrictive clauses shall cease and determine.

Mr. Haigler stated that if the Borough participation required borrowing in excess of \$10,000 for either the drainage or other items delegated to the Borough, the question of borrowing must be submitted to the voters.

A motion was made by Mr. Haigler, seconded by Mr. Rudolph to amend the above resolution to require that if the borrowing for the Lucy Barnes-Garner development project is in excess of \$10,000 that the question will be submitted to the voters. The vote on the amending motion was: In favor--Messrs. Haigler, Rudolph and Mrs. Gaither; Against--Messrs. Platten, Brooks, Hillas and Mosetter. The motion was declared defeated.

The vote on the motion to adopt the resolution containing the items of agreement to be submitted to the developers and business men was as follows: In favor--Messrs. Platten, Hillas, Mosetter, Brooks and Haigler; Against--Mr. Rudolph and Mrs. Gaither.

The following bills were presented by the Secretary and approved by the Council for payment:

<u>Vo.#</u>	<u>Vendor</u>	
1012	Comm. of Penna. S.S. Contr. Fund	\$ 952.69
1013	Bearings, Inc.	7.14
1014	Jim Banes Ford, Inc.	102.80
1015	Brooks Paint Store	3.75
1016	Bux-Mont Office Supply Co.	13.89
1017	C. & C. Supply Co. Hatboro	.80
1018	Culbert-Whitby Co.	18.35
1019	Columbia Ribbon & Carbon Mfg. Co.	3.86
1020	Chain-Link Fence Company	107.10
1021	Delaware Valley Concrete Co., Inc.	176.56
1022	Cameron Sanitary Landfill, Inc.	122.00
1023	Delaware Valley Reproduction Co., Inc.	35.21
1024	Eureka Stone Quarry, Inc.	61.06
1025	B. J. Eisenhard	69.50
1026	Erwin Printing, Inc.	19.00
1027	J. Fegely & Son	3.25
1028	Grove Supply, Inc.	2.13
1029	Hatboro Lumber & Fuel Co.	152.90
1030	Hatboro Electric Supply Co.	45.15
1031	Haggerty, Boucher & Hagan, Inc.	15.00
1032	Henderson, Wetherill & O'Hey	500.00
1033	Hatboro Borough Authority	576.98
1034	Hatboro Hardware	10.42

1035	The Intelligencer Co.	\$ 72.82
1036	Keystone Hi-Way Traffic Equip.	307.40
1037	Fred Krauskopf & Asso.	57.38
1038	Markovich Auto Parts	6.66
1039	Martin & Bardley	60.20
1040	Clyde E. Penglase	11.68
1041	Alex L. Parry	75.00
1042	Philadelphia Electric Co.	915.17
1043	Philadelphia National Bank	60.83
1044	Pine Run Farm Supply Co.	2.85
1045	Philadelphia Electric Co.	10.00
1046	Progress Newspapers, Inc.	28.00
1047	K. H. Riesselmann	30.00
1048	R. L. Stott Company	36.85
1049	Philadelphia National Bank	1,494.73
1050	Postmaster - Hatboro	99.20
1051	Comm. of Penna., Dept. of Agriculture	5.00
1052	Bell Telephone Co. of Penna.	117.02
1053	Accounting Adjustment	
1054	E. S. McVaugh	27.10
1055	Jim Banes Ford, Inc.	21.70
1056	Mr. Knox Henderson	125.00
1057	Fred Krauskopf	20.00
1058	Lou's Sunoco Station	145.45
1059	M. A. Bruder & Sons, Inc.	3.16
1060	J. Alvin Wolverton	1.00
1061	J. B. Winder, Jr.	2.60
1062	Taggart's Hardware	.68
1063	Taggart's Hardware	111.64
1064	Taggart's Hardware	9.24
1065	Smith Chevrolet Co.	2.50
1066	Philadelphia Electric Co.	12.10
1067	The Intelligencer Co.	29.60
1068	Erwin Printing, Inc.	22.90
1069	Sinclair Refining Co.	272.54

A motion was made by Mrs. Gaither, seconded by Mr. Mosetter and approved by the Council to adjourn the meeting, the hour being 11:35 P.M.

Thomas G. McClellan
Secretary

Hatboro, Pa.
May 23, 1960

A special meeting of the Borough Council was held in the Municipal Building on the above date for the purpose of conducting a public hearing for the zoning change petitions of Benjamin Lichtenstein, York Road and Horsham Road; Messrs. Schieber, Cochrane and Heidmann for the Schieber property on York Road north of Summit Avenue and Mrs. Friedman and Mrs. Kirk for the property at East Moreland Avenue and the Reading Railroad; and to conduct any other business to come before the Council.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen Mosetter, Hillas, Brooks, Platten, Haigler, Rudolph and Gaither; Burgess Williams, Treasurer Gintowt, Solicitor Henderson and approximately twenty-seven residents.

The petition of Benjamin Lichtenstein requesting a zoning change from Residential-C to Residential-D parking for the front portion of the property located at 400 S. York Road, was read by the Secretary. Mr. Peace, representing the petitioner advised that the proposed area in the above petition is to represent a parking lot to be used in conjunction with the Old Mill Restaurant operated by Mr. Frank Brown, immediately adjoining on the north side of Horsham Road. It is estimated that the ground will be approximately 13,200 sq. ft. and will provide parking for approximately 44 cars. The surface is to be black topped with an entrance and exit on the Horsham Road side immediately adjoining the front of the existing house. It was further explained that this would be a ten year lease proposition to rent the entire property. The storm drainage from the lot would flow into Horsham Road to run into existing culverts on Horsham Road. In answer to a question concerning the existing house on the property it was explained that it contains fifteen rooms or three apartments. In reply to a question received from Mr. Charles Jones, adjoining neighbor to the south, it was explained that a retaining wall would be constructed along his side of the property and that lighting for the parking lot would probably be provided from across Horsham Road at the Old Mill property. Mr. Rudolph questioned Mr. Brown if there had been a subdivision of the property at the time he purchased it from Mr. Corcoran. Mr. Brown indicated that he had only purchased the portion on which the Old Mill was located and had not purchased the portion on the north side of the creek presently used by the new office building. Mr. Jones further indicated that he did not want to hold back a business but he preferred that the parking be located at the rear of the property as parking in the front area would not be an attractive feature. He further pointed out the hazard created by placing the entrance and exit so close to the York Road corner and traffic signal. He was also concerned about the retaining wall, the storm water and the flood lights to be used for the parking lot. In reference to the location of the entrance and exit Mr. Haigler pointed out that there is a 3' lowering of the grade of the new street lines between the York Road level and the place of entrance into the proposed parking lot. Mr. Haigler

further pointed out that the planned drainage for Horsham Road would be adequate for the proposed street construction but would not be sufficient to take care of the large parking lot being proposed. He further cited the hazardous condition created by placing the entrance to the parking lot approximately 105' west of the York Road intersection indicating that the stopping of four cars along Horsham Road for traffic signal would block the entrance to the parking lot. Mrs. Aherne of South York Road objected to the granting of the application as it would destroy the beauty of the entrance to the borough and would also detract from the beauty of the existing home on the property. Dr. Brooks questioned Mr. Jones if he believed that the proposed use would present down-grading of the property. Mr. Jones answered that he believed that it would represent down-grading and again favored that the parking be placed at the rear of the building instead of in front of the building.

Mr. Platten directed that the zoning change application be referred to the Planning Commission for review and recommendation and that a later meeting of Council with the developer would be held to work out the problem of the furnishing of the curbs on the Horsham Road side of the property, the determination of the location of the driveway, and establishment of the grades and possibly the entering into of an agreement where all of these items would be covered. Some of these details might be worked out at the committee meeting of council before the next regular council meeting, if the council so desires.

The Secretary read the application of Mrs. Kirk and Mrs. Friedman for a change of zoning from Retail to Residential-C for the property located at 118 East Moreland Avenue for the purpose of permitting the erecting of a multiple dwelling of 14 units similar to the York House. In connection with this application Mr. Platten explained that he had discussed with Mr. Friedman the plan of Council to extend Jacksonville Road through from Moreland Avenue to Byberry Avenue along the western portion of the subject property. He further indicated that the applicants possibly should dedicate or give the borough a release of damages for a right-of-way strip of ground 34' wide along the railroad side of the property. The granting of such a right-of-way would reduce the available lot area of the property but Mr. Platten assured the applicants that the Council would recommend to the Zoning Board that the applicant not be penalized for the loss of the portion of ground so dedicated in the computing of the lot area for the number of apartment units permitted to be constructed. Mrs. Friedman indicated her willingness to the granting of such an agreement providing the Council would permit the construction of fourteen apartment units on the property. Mr. Haigler pointed out that the right-of-way through the Polis property to the south along the railroad is established as a 34' right-of-way plus an 8' area for sidewalk construction. Mrs. Friedman furnished a plan indicating the proposed location of the building which also indicated the 34' right-of-way for the street construction. In answering a question raised by Mr. Platten concerning the installation of garbage disposal units and an incinerator for the building Mrs. Friedman indicated that garbage

disposal units would be installed but that the installation of an incinerator was not advisable due to the fact that the accumulation of rubbish and other matter in the incinerator attracts vermin and rats. Mr. Rudolph questioned the building inspector as to whether a requirement for incinerators was included for the Madison and Osborne units on York Road to which Mr. Wilcke replied that the requirement was indicated and that the installation of an incinerator for each apartment house was included on the plans filed at the time the building permits were issued. Mr. Haigler pointed out that waste food already exists in the incinerator outside of the Madison and Osborne units. Mr. Rudolph further indicated that the Osborne and Madison units cannot be considered as complete as the incinerator units have not been installed to date. Mr. Platten questioned concerning the availability of parking for the new apartment unit and Mrs. Friedman indicated that parking will be available on the premises. Mr. Platten summarized the discussion in indicating that the applicant will be willing to give the right-of-way agreement if fourteen apartment units are granted through the Zoning Board of Adjustment in addition to the proposed zoning change. Mr. Platten further asked if Mrs. Friedman would consider constructing the extension of Jacksonville Road for the length of her property and then be reimbursed by the borough at a reasonable cost in order to save time on such construction and requirements for the borough in doing such work. Mrs. Friedman indicated that she did not object to such a procedure provided she did not have to finance the street construction for any great length of time. Mr. Haigler and Mr. Henderson both questioned whether such road construction could be performed without complying with the legal bidding requirements for work in excess of \$1,000. Dr. Brooks questioned the value of extending Jacksonville Road through from Moreland to Byberry Avenue and cited that there may be objections of nearby residents of such an extension.

In connection with the construction of the Osborne House and its driveways and parking spaces Mr. Haigler questioned what assurances of compliance there are by builders on requirements of the borough in this connection. Mrs. Friedman advised that some of the construction at that area had been done on filled ground and that permanent installation of the driveways and parking areas had been deferred until proper time had been allowed for settlement. It is expected that permanent paving will be installed shortly.

Mr. Platten questioned the members of the audience if there were any to speak in favor of or against the proposed application to which there was no response. Mr. Platten announced that definite action on this application will be deferred until the Planning Commission reviews the application and presents Council with a recommendation. He also indicated that Mr. Henderson will check the legal status of the procedure of street construction mentioned above. Mr. Platten further advised Mrs. Friedman that a definite decision may be reached at the June 13 Council meeting which will be held following the meeting of the Planning Commission on June 7.

The Secretary read the application of Cochrane, Heidmann and Schieber requesting a change of zoning from Residential-A to Residential-C for the rear portion of the Schieber property on the east side of York Road approximately 400' north of Summit Avenue, in order to permit the construction of 54 units of apartments. Mr. Peace, representing the applicants, pointed out that the 54 units will be constructed in 3 buildings similar to the Robert Bruce Apartments on Horsham Road. The apartments will be located 25' from the rear line of the property, there will be no rear doors and that no laundry will show as washers and dryers will be supplied for the use of the residents of the apartment houses. Garbage disposal units will be installed for each apartment and an incinerator will be constructed by the builder in accordance with borough requirements. It is also proposed that a swimming pool will be constructed on the York Road side for the use of the residents of the apartment houses and that the hours of operation will be similar to those of the borough operated swimming pool. It was further reported that no children will be permitted to live on the second floor of any of the apartment buildings. Mr. Peace further pointed out that in reference to questions concerning visible height of the buildings that they will be built on a level which would permit the residents on Windsor Avenue to either look over the top of the buildings or only see the peaks of the roofs. In response to questions raised by Mr. Platten, Mr. Cochrane indicated that sidewalks and curbs on the York Road frontage would be installed by the builder, that the approximate amount of the investment is \$450,000 and that the creek along the northern border of the property will be half on his property and half on Mr. Schieber's property. He further indicated that fire walls will be constructed running through the roof and that the roofing will be of asphalt shingle construction. Concerning the swimming pool, Mr. Cochrane indicated that it will have its own filter system and will be fenced in. Use of it will be restricted to tenants and guests. He further indicated that a superintendent would be on the premises, possibly two or three hours a day. Rubbish is also to be removed by the owner. Arrangements for sanitary sewer connections have not been made to date. He further indicated that the street will remain a private street. In response to a question concerning the rear yard distance it was indicated that the present arrangement of the buildings would not permit the increasing of the distance. Any increasing of this distance would dictate the re-arranging of the location of the three buildings. It was pointed out that moving the buildings further front in the property might necessitate the construction of the smaller unit along the creek side of the property. Mr. Cochrane did not believe this advisable as the nearness to the creek would probably create a water condition in the basement. In response to a question raised by Mr. Haigler, Mr. Cochrane indicated that required planting on the rear embankment to prevent eroding of the embankment would be done by the builder.

Mr. Platten quoted from a letter received from G. W. Aiman, rental agent for several apartment houses in Hatboro, concerning the number of children in the various apartments at May 1, 1960.

It was indicated that the Robert Bruce apartments on Horsham Road, consisting of five buildings and 70 units, had 15 children of which 6 were of school age. The Eleanor Court apartments on Byberry Avenue have 21 children of which 11 are school age. It was further indicated that the children residing in the Madison, Osborne and York Houses on North York Road number approximately 7 children. It was pointed out that the bulk of the proposed units for the Schieber property are two bedroom units. It was also indicated that air conditioning is included and that all utilities are included in the rental figures which are \$130 and \$140 for two bedroom units and \$115-120 for one bedroom units. A check of the drawings indicated a parking area immediately adjoining the driveway from York Road but it was noted that the exact width of the driving lane was not shown although it was proposed as being 30'. A question was raised concerning the grades of Windsor Avenue as compared with the proposed buildings and the York Road grades. Mr. Cochrane indicated that if the peak roofs of the apartment buildings are objectionable to the nearby residents, flat roofs could be substituted. He further indicated that in order to definitely establish the view from the rear of the homes on Windsor Avenue, the street grades for Windsor Avenue, York Road and the relative placement of the buildings on the property would have to be checked in detail. Mr. Hillas questioned Mr. Cochrane if he operated any other apartment house projects to which Mr. Cochrane replied that he did not. Mr. Platten called for comments from the audience from those in favor of the project to which there was no reply. Mr. Platten then called for comments from those present who objected to the project.

Mr. Kirkland, 373 Windsor Avenue, presented his objections to the zoning change. He cited a report prepared several years ago by the HCCA in which recommendations were made as to zoning classifications and uses in various parts of the borough. He also cited the excess of \$17,000 per year for providing schooling for the number of children that could be accommodated in the apartment house project. He indicated that there is an apparent squeezing-in of the maximum number of apartments permitted by law and that a more attractive use could be made if the maximum number of apartment units were not constructed. He also pointed out that the 30' high rear building wall so close to the rear of his property constituted another objection.

Mr. Spokas, of 355 Windsor Avenue, also presented his objections to the zoning change. He cited the height of the proposed building in that it destroys the use of the gardens and shrubs and the view at the rear of his property. It would also obstruct the sun from shining on his property during the late afternoon hours. He further objected to the 200' length of the rear wall of the apartment house as representing nothing colorful or picturesque. He further indicated that his home is located on his lot approximately 60' from the rear property line. Mr. Platten questioned Mr. Kirkland and Mr. Spokas in pointing out that if the proposed zoning change is not granted and a new developer built five or six duplex units in the A-Residential area and apartment

units along the York Road frontage zoned Residential-3, whether such use would be more or less objectable than the proposed use. Mr. Kirkland indicated that he would have to see how the arrangement looked before he could give an opinion on this item. Mr. Spokas indicated that his main objection was to the height of the structure as it would relate to the rear portion of his property.

Mr. Edes, 379 Windsor Avenue presented his objection to the zoning change and indicated that the north end of the apartment building would be located very close to the Pennypack Creek and would be subject to flooding conditions during rain storms. His main objections are to the height of the rear wall of the apartment and the closeness of it to the party line. Mr. Platten asked the same question concerning the possible legal development of the property in accordance with the present zoning regulations and Mr. Edes answered that he would not be able to picture such a use at this time. Mr. Cochrane indicated that any re-arrangement of the three buildings would require that one of the buildings be placed in front of the other with a great loss to the general beauty of the project. Mr. Edes also questioned concerning the requirement for incinerator as it would be required and used on this project. He indicated that he would rather have the borough collect the rubbish than have an incinerator operated on the property due to the objection of ashes and odor. He also presented his objection to the construction and operation of the swimming pool and preferred that the building be located at least 50' from the rear line of the property. Mr. Spokas recommended that a lesser number of units be permitted than the 54 units proposed.

Mrs. Paist, Windsor Avenue, questioned how a firm commitment can be required from the builders and also questioned what assurance the residents have that such commitments will be fulfilled. Mrs. McClellan, 359 Windsor Avenue, indicated that most of the residents would not object to a good looking apartment house project but that the main objection is the closeness of the apartment to the rear property line.

Dr. Brooks presented an opinion that since the 1955 zoning code was adopted the general appearance of the borough has changed from a residential use to an apartment type community. With this fact in mind he believed that council and the planning commission should take a new look at the future course of development in the borough.

Mr. Platten indicated that the prime question is "what do the residents want to do with the properties along York Road which are not at this time attractive for single home use"? He cited that in the near future there will be a great demand for additional retail area in the borough and indicated that if the plot of ground under consideration is not used for apartment house development great pressure will be placed upon council

for a change to Retail uses. He indicated that the choice of many residents that private homes be constructed is not too feasible as they would not be salable in such an area. He further noted that all objectors are opposed to commercial use in that area. Mr. Kirkland further indicated his opinion that the proposed project would create a general depressing effect on the neighborhood. He also objected to the lack of stability of the zoning requirements which worked to the detriment of the present residents of the area. Mr. Platten again presented the possible construction of a less desirable collection of duplex homes and apartments in accordance with the present zoning and building requirements of the property or as an alternate the continued growing pressure for a change in zoning to permit commercial uses in this neighborhood. Mr. Rudolph questioned Mr. Cochrane as to the possibility of the construction of duplex homes and apartments as an alternate to the proposed apartment house project and questioned whether they would be rented or sold. Mr. Cochrane indicated that they would be handled on a rental basis. Mr. Haigler discussed in detail the requirements in our building and zoning codes for the construction of duplex homes and cited the height of such dwellings and the possible density of population in such a use. He also cited the possibility that garages could be built directly upon the rear property line to serve the duplex dwellings to a height of 17½ feet. He also cited the constant pressure from property owners along the York Road frontage for a change of zoning to permit commercial uses.

Mr. Platten suggested that those residents interested in this zoning application appear before the Planning Commission at its regular June meeting to be held on June 7, 1960 at work out a more reasonable arrangement of the apartment buildings. Mr. Platten further indicated that the hearing on this application is now concluded until the Planning Commission renders a recommendation to the council at a future meeting.

Mr. Platten discussed the curbing problem for the N J Life Cleaners building at 350 South York Road owned by Meade & Wolf. He indicated that he had contacted Mr. Duffy, Solicitor for the property owners, and suggested that some proposals be made as to the wishes of the property owners. A letter dated May 23, 1960, received from Mr. Duffy was read by the Secretary concerning various proposals for enlarging the radius of the turning circle in front of the cleaner's establishment and the installation of curbs creating a driveway in order to restrict the backing out into York Road. Following a discussion it was agreed that a request would be placed with Mr. Meade to provide a scale drawing of the proposals outlined in Mr. Duffy's letter. Mrs. Wolf, present at the meeting, indicated that she would advise Mr. Meade that the Public Health and Safety Committee will meet on June 8, 1960, at which time the proposals can be discussed and definite arrangements made.

In connection with the appointment of one additional member to the Hatboro Pension Committee, Mr. Hillas suggested the name of Mr. Emmett Henry of 233 Byberry Avenue, Hatboro, Several

councilmen indicated that they prefer to speak with Mr. Henry and therefore deferred action on the appointment until the next meeting.

Mr. J. Linden Heacock presented a proposed plan for the construction of an additional building at the Kushin Industrial Park on County Line Road at the Reading Railroad. The possibility of using a portion of the side yard as a parking area was proposed by Mr. Heacock. Mr. Boonshaft, one of the property owners of the proposed building in question, raised a question concerning the construction of curbs and sidewalks along County Line Road when the State Highway Department establishes the grades. There appears to be no immediate possibility of such grades being set. Following a discussion it was agreed by council the Mr. Heacock would contact Messrs. Bell and Blum of the Mitchell Park area who headed a group of objectors who had entered a court case to contest the construction of the industrial park sometime ago. If Mr. Heacock will obtain a written letter of agreement from those interested residents of the Mitchell Park area as to the use of the 30' yard area on the western side of the Kushin property as a parking area for the proposed building, the council will give new consideration to this matter at its next meeting.

Mr. Platten discussed in detail the question of assessments for the curb construction on the west side of south York Road at Crooked Billet Road. He indicated that council should consider the possibility of assessing 100% of the cost of the improvement. He indicated that the curb installation cleared up a serious washout problem and improved the driveway conditions for all of the homes involved in the improvement. He further indicated his opinion in favor of 100% assessment due to the reason that the project provided such improvement for each of the properties involved. Mr. Haigler also pointed out that the work done provided each home with approximately 18' of improved driveway. Tentative figures received from Engineer Haggerty indicated an assessment figure of approximately \$2.92 per foot for the curbing installed based on a 2/3's assessment to the property owners. Additional figures will be received from the engineer and forwarded to Solicitor Henderson in order that an assessment ordinance may be prepared and presented at the next council meeting for adoption.

The Secretary presented a subdivision plan received from Frank Lang, a builder of Hatboro, for the division of the property located at the southeast corner of Loller and Windover Roads. The plan was referred to the Planning Commission for review and recommendation which could be returned to council at its next meeting.

A motion was made by Mr. Hillas, seconded by Dr. Brooks and approved by the council to adjourn the meeting, the hour being 11:57 P.M.

Thomas Q. McClurken
Secretary

June 13, 1960

The regular meeting of the Borough Council was held in the Municipal Building on the above date.

The meeting was called to order at 8 P. M. by President Platten with the following present: Councilmen Mosetter, Hillas, Brooks, Platten, Haigler and Rudolph; Treasurer Gintowt, Burgess Williams, Engineer Haggerty, Solicitor Henderson, Street Supervisor Stauch, Building Inspector Wilcke, Police Chief Dudbridge, approximately 24 residents and three press representatives.

The invocation was given by Burgess Williams.

The minutes of the Council meetings of April 29, May 10 and May 23 were presented for review. Following corrections the motion was made by Dr. Brooks, seconded by Mr. Rudolph and approved by the Council to accept the minutes as corrected.

Treasurer Gintowt presented a report of the Budget and indicated that the Cash Balance at May 31, 1960 was \$14,624.69. Invoices to be paid at this meeting total \$13,351.35. Due to an additional need for funds for payrolls and other bills to be paid Mr. Gintowt recommended that additional borrowing be made in the amount of \$10,000. A motion was made by Dr. Brooks, seconded by Mr. Haigler and approved by the Council to accept the Treasurer's Report as given above.

Mr. Gintowt presented a recommendation that a special bank account be opened to handle receipts for the real estate transfer tax as commencing July 1, 1960, one-half of the income from the tax must be turned over to the Hatboro School Board. A motion was made by Mr. Hillas, seconded by Mr. Mosetter and approved by the Council to adopt the following resolution authorizing the opening of the above special bank account:

RESOLVED, That the Borough Treasurer is hereby authorized to open an additional account at the Philadelphia National Bank, Hatboro Office, to be used for the handling of the 1% real estate transfer tax with signatures to be required as indicated in the resolution governing the regular accounts.

Mr. Rudolph reporting for the Public Health and Safety Committee presented a letter received from the Planning Commission dated June 11, 1960 with reference to the application received from Ben Lichtenstein requesting a change of zoning classification from Residential-C to Residential-D parking for the front portion of the property located at the southwest corner of York Road and Horsham Road. The letter from the Planning Commission indicated that the Commission recommended that the change in zoning not be granted as it would represent encroachment of one zoning classification into another zoning area, would divide a property into two zoning classifications and would limit ultimate use of the entire property. Mr. Richard Cornell, representing the applicant, indicated that the lease is an option to buy and that the proposed use solves a long standing parking problem for the Old Mill Inn. He also indicated that the present use for the structure on the south side of Horsham Road would continue as a rooming house and that the parking lot would serve both the rooming house

and the restaurant. He indicated that black top is proposed to be installed and that no borough funds would be involved in the work. Mr. Cornell also stated that rejection of the proposal would prevent the owner of the Old Mill from taking care of his own parking problems. He cited the nursing home presently being operated on the south side of the property as a partial commercial use. Mr. Haigler indicated that no plans have been presented for the storm drainage or entrance as it relates to the traffic signal treadle existing on Horsham Road.

Dr. Brooks questioned the effect of such a use upon the beauty of the southern entrance of the borough. Mr. Cornell indicated that some of the trees will be removed due to their unhealthy condition but cited the safety hazard due to lack of parking in the area as something requiring attention.

A motion was made by Mr. Haigler, seconded by Mr. Rudolph and approved by the Council to deny the application of Ben Lichtenstein for a change of zoning for the front portion of the property located at the southwest corner of York Road and Horsham Road.

Mr. Rudolph introduced the application of Bernie Shay for the subdivision of a parcel of ground concerning three stores at the southeast corner of York Road and Monument Avenue. This subdivision is tied in with the granting of a building permit for the erection of a motel on the property and the providing of off-street parking. Mr. Rudolph presented a letter from the Planning Commission dated June 11, 1960 indicating that the Planning Commission sees no reason to object to the subdivision since the Zoning Board of Adjustment has approved a parking lot adjustment which would permit the existing three stores to use allocated parking spaces on the parking lot of the restaurant. A motion was made by Mr. Hillas, seconded by Mr. Mosetter and approved by the Council to approve the subdivision of that portion of ground containing the three stores located at the southeast corner of York Road and Monument Avenue.

Mr. Rudolph presented for consideration the application of Frank Lang for the subdivision of a portion of ground on the southeast corner of Windover and Loller Roads to permit the construction of a single family dwelling on the corner lot. A letter received from the Planning Commission, dated June 11, 1960, recommended that this subdivision not be approved as it feels the arrangement is not satisfactory and with two Variances required from the Zoning Board of Adjustment, such a subdivision is not desirable. In the course of the discussion it was noted that the two lots involved were purchased at different dates and are owned under two separate deeds and may present a situation in which the subdivision approval is not required from the borough authorities. Mr. Platten indicated that the Council will review the legal status of the situation and advise the applicant at a later date.

Mr. Rudolph presented for consideration the application of William Hoff, presented by Mr. Richard Cornell for the subdivision of the former Jackson property located at the northwest corner of Broad Street and Moreland Avenue. A letter from the Planning Commission, dated June 11, 1960, indicated that according to the plans submitted each lot meets the frontage and area requirement for

Residential-AA district and therefore the subdivision is recommended for approval subject to the removal of the existing barn. A motion was made by Mr. Hillas, seconded by Mr. Platten and approved by the Council to grant approval to the above subdivision plan.

Mr. Rudolph presented for consideration the application of Mrs. Kirk and Mrs. Friedman for a change of zoning classification from R-Retail to Residential-C for the property located at 118 East Moreland Avenue. Mr. Rudolph presented a letter from the Planning Commission, dated June 11, 1960, indicated that the Planning Commission recommends borough council take favorable action to grant the zoning change requested to permit the erection of a multiple dwelling unit having 14 family units. The letter further stated that an agreement be made with the purchaser which would permit the extending of Jacksonville Road south of Moreland Avenue to Byberry Avenue. The motion was made by Mr. Haigler, seconded by Mr. Hillas, to approve the adoption of an ordinance to change the zoning on the above property from R-Retail to Residential-C subject to the execution of an agreement to provide for the granting of a right-of-way for the extension of Jacksonville Road south of Moreland Avenue to Byberry Avenue. An amending motion was made by Dr. Brooks, seconded by Mr. Rudolph to table action on the above motion until the problems associated with the other multiple dwelling units already constructed in the borough of Hatboro by Mrs. Friedman are settled to the satisfaction of the Council.

Mr. Rudolph questioned as to the effect of the street extension on the area available which would dictate the number of apartment units to be constructed on the property. Mr. Platten indicated that the Planning Commission had agreed that a concession would be made to permit 14 units to be constructed with no loss of ground to be deducted in the granting of the right-of-way for the extension of the road. Mrs. Friedman questioned the legal right of the Council to table approval of the application due to claims of non-performance against building permits issued for other properties in the borough. She also questioned the right of the borough to refuse to collect rubbish from her apartment houses and objected to the requirement that incinerators be installed within the buildings as such installations are an attraction to rodents and vermin. Mr. Haigler pointed out that the construction of an outdoor incinerator at the York Road apartment units now has garbage and other refuse in the incinerators. Mr. Platten indicated that Council was merely withholding definite action pending compliance of requirements set down by the borough for the York Road apartment houses. Mr. Friedman in discussing the requirements for the incinerators indicated that he would guarantee that the incinerators will be installed. He further indicated that if the petition for the Moreland Avenue property is tabled the petition will be withdrawn by the applicants and that the borough in order to extend Jacksonville Road south will have to institute condemnation proceedings and probably pay for the ground needed. Mr. Platten in discussing the problem indicated that before construction could be commenced on the Moreland Avenue apartment project a building permit is needed, an agreement between the developers and the borough is also needed and the approval of the Zoning Board of Adjustment is required in connection with the lot area as it related to the 14 units to be constructed. Mr. Platten further pointed out that the need of obtaining the above permits, agreements and approvals represents controls held by the borough even though favorable action might be taken

on the zoning change. He further pointed out that Mr. Friedman has agreed that the incinerators are to be installed in the Madison and Osborne houses and the sidewalk on the west side of York Road repaired. Mrs. Friedman pointed out that an escrow fund of \$1500 had been deposited with the borough in connection with the curb and sidewalk construction on the east side of York Road. She questioned why the sidewalk problem on the west side had not been raised before the escrow funds had been returned by the borough. Mr. Rudolph pointed out the fact that when the building permits were issued for the Madison and Osborne houses that the plans indicated that incinerators were to be installed in connection with the disposal of rubbish. He questioned Mr. Friedman why these items were not taken care of before the construction was completed. Mr. Friedman promised compliance on the installation of the incinerators and indicated that immediate arrangements would be made to carry out this item. Mr. Friedman further agreed to place in writing his guarantee that the incinerators would be installed.

The vote on the motion made by Dr. Brooks, seconded by Mr. Rudolph, representing an amendment to table action on the zoning change until the problems at the Madison and Osborne Houses have been cleared up was as follows: In favor-- Messrs. Brooks, Mosetter and Mr. Rudolph; Against--Messrs. Hillas, Platten and Haigler. There being a tie vote on the motion to table, Mr. Platten called on Burgess Williams to cast his vote to break the tie. Burgess Williams indicated that he would defer casting a ballot on this motion for one month according to the borough law. Mr. Friedman stated that if the motion to table action on the zoning change is tabled at this time that he will withdraw the petition for the zoning change. Mr. and Mrs. Friedman withdrew from the meeting at this point.

Mr. Rudolph presented for consideration the request of William Benner, Jr. for the subdivision of the lot at the northeast corner of Byberry Avenue and New Street. A letter dated June 11, 1960 from the Planning Commission was read indicating that the plot plan was returned for further information, namely, that the plot plan show the entire lot along with the existing building with regard to existing and proposed property lines. The Planning Commission recommended that no action be taken until full information has been received. A motion was made by Mr. Hillas, seconded by Mr. Rudolph and approved by the Council to defer action on the request for a subdivision until a definite report has been received from the Planning Commission.

Mr. Rudolph presented for consideration the petition of Messrs. Cochrane, Heidman & Schieber, for the change of zoning for the rear portion of the property of John Schieber on the east side of York Road north of Summit Avenue from Residential-A to Residential-C classification. A letter from the Planning Commission dated June 11, 1960 was read indicating that the Planning Commission recommends that a Variance be granted which would allow a use of the Residential-A portion of the Schieber property for multiple dwelling type of building but that the area which is now zoned Residential-A be controlled by the requirement for lot area now in Residential-A which has 4,000 sq. ft. per family unit (half of 8,000 sq. ft. required for two family detached dwellings). This would result in a reduction to approximately 42 units of which 28 would be in that portion presently zoned Residential-A; also the Planning Commission recommends that the swimming pool not be permitted because of difficulty of control. The developer filed a revised plot plan dated June 7, 1960

which showed a 40' back yard which he felt to be adequate. The subdivision of the Schieber property at the creek was approved by the Planning Commission and is recommended to the borough council for approval. Mr. Platten indicated that the expression of the Planning Commission in reference to the square foot area required and number of units to be permitted is under the jurisdiction of the Zoning Board of Adjustment and that the Council is primarily concerned with the change in zoning classification. Dr. Brooks presented an objection to the recommendation from the Planning Commission that the swimming pool construction be forbidden as it represents an invasion of the property rights and personal rights of the citizens of the borough.

A motion was made by Mr. Haigler, seconded by Mr. Hillas, to adopt an ordinance to change the zoning classification of the rear portion of the plan of the property of Mr. Schieber as indicated on the plan of June 7, 1960, from Residential-A to Residential-C classification and including a 40' rear yard area. Mr. Haigler further stated that he would prefer to include in the motion other requirements as to construction of the apartment house units. Following a discussion the above motion was withdrawn. A new motion was made by Mr. Platten, seconded by Mr. Rudolph to approve the adoption of an ordinance to change the zoning classification of the rear portion of the Schieber property as indicated on the plan dated June 7, 1960 from Residential-A to Residential-C classification which plan indicated a 40' rear yard area. Mr. Haigler questioned the number of apartment units shown on the plan and Mr. Peace indicated that 54 apartment units were indicated on the plan of June 7, 1960. Mr. Haigler discussed the density requirement as to the construction of the apartment house and indicated that Upper Moreland has recently adopted an amendment to their zoning code requiring 5,000 sq. ft. per apartment unit. He cited that the newly established 40' rear yard area relieves some of the complaints received and also affords more space for the sloping area at the rear of the property. He further discussed the possible density of population in the Residential-A zoning classification and recommended that the number of apartment units be reduced accordingly. Mr. Peace in speaking for the builder indicated that the new plan is based on the York Road frontage and does not favor cutting down the number of units to 42 as the arrangement would not be as attractive as 54 units. He also cited that there were apparently very few objectors to the construction plan compared to the total population of the borough. The proposed use appears to be the best possible use after 32 years of effort on the part of Mr. Schieber to develop the property. He further indicated that the question of pool construction can be settled as Council may desire. Mr. Rudolph called attention to the recommendations received from the Planning Commission that on the one hand they recommend a reduction of the lot area required for multiple dwellings in the Kirk-Friedman application but that on the Schieber property they are recommending an increase in the requirement by 1/3. Mr. Haigler cited that the present plan for the apartment house buildings which would be approximately 250' long might be revised to call for smaller buildings thereby eliminating the objections of many residents. Mr. Cockrane indicated that at the meeting held by the Planning Commission the extending of the rear yard from 25' to 40' apparently removed the objections of the residents as to the long buildings.

Mr. Platten called for comments from the residents to present objections to the proposed apartment house project. Mr. Donald Kirkland, 373 Windsor Avenue, reviewed the provisions of the petition presented by the applicants and indicated that a meeting of the property owners of Windsor Avenue had been held on Saturday, May 28, in order to review the plans and receive the comments of the residents. He further presented the following recommendations as an indication of the wishes of those residents attending the meeting

- Provision 1- That no building of the development be located nearer than 75' to the property line.
- 2- That a screen of appropriate trees or shrubs be planted along the property line at the rear of the property.
- 3- That incinerators be installed or that arrangements be made to haul such trash and refuse away by a contractor.
- 4- That adequate janitorial and maintenance personnel be provided to provide necessary services in trash and refuse collection, and overall general appearance of the project.
- 5- That construction of the swimming pool be eliminated from the plan.

Mr. Kirkland further pointed out that the residents of the area are not opposed to the development of this property with apartments but that they are emphatically opposed to the number of units, the size of the buildings involved, and the planned location of these structures. He discussed in detail the requirements of the Upper Moreland Township Zoning Ordinance which as now revised, requires 5,000 sq. ft. per family unit and a lot width of not less than 300' at the building line. Application of such requirements to the property would permit between 32 and 38 units to be constructed. Mr. Kirkland further stated that the provisions listed above are not proposals as a basis for bargaining or backing down but that they represent the minimum standards that could be expected to make the proposed development satisfactory to the neighboring residents. Mr. Platten reviewed the revisions listed above with Mr. Peace who represented the developers. Mr. Peace indicated that the reduction of the units might require that they be placed one in front of the other and thereby losing the attractive arrangement of the project. Provision No. 2 requiring the installation of a growth of trees to present a screen along the property line was agreed to. Agreement to Provision No. 3 requiring the installation of incinerators was agreed to by Mr. Peace as the borough may require to be adequate for the project. There was a discussion concerning Provision No. 4 for the maintaining of personnel on the property as a custodian. Mrs. Wolf cited that custodial services for the Robert Bruce apartments on Horsham Road were provided through the rental office with one making a daily check as to the needs recorded. Additional men are available when required. Mr. Peace agreed that adequate custodial service will be provided by the management. Concerning requirement No. 5 in reference to the swimming pool, Mr. Peace

agreed that the borough could specify whether or not the pool shall be constructed. He pointed out that such construction of a pool may aid in the renting of the apartments and possibly relieve the burden on the borough pool with the addition of 54 family units to the borough population. In answering Mr. Kirkland's comments Mr. Cochrane indicated that the original proposal did not require that so many units be squeezed into the property limits but that the difficulty arose in trying to adjust the arrangement of the buildings to permit a larger rear yard than the 25' originally specified. Mr. Haigler pointed out that the average rear yard of the Windsor Avenue homes is approximately 69½' which may be considered living area. However, the 75' rear area behind the proposed apartment units would not be considered living area and might not be defensible as equitable in court action.

A motion was made by Mr. Platten, seconded by Mr. Rudolph, to amend the prior motion concerning the approval of an ordinance to change the zoning classification to add the following provisions:

- 1- That a 40' yard area be provided at the rear of the property.
- 2- That an adequate screen of trees and shrubs be planted along the property line between the Windsor Avenue properties and the project.
- 3- That incinerators be provided as required and approved by the borough.
- 4- That the owner and operator of the apartment units provide maintenance for the interior and exterior of the project to insure cleanliness, and good appearance including disposal of trash and rubbish.
- 5- That the number of units to be constructed be limited to 54 units.
- 6- That curbs and sidewalks be constructed along the York Road frontage.
- 7- That a temporary stone surface be provided on York Road between the curb line and the present shoulder of the road.
- 8- That the operating hours of the proposed swimming pool be the same as the borough pool, that proper pool fencing be constructed and that appropriate State health laws be complied with in the operation of the swimming pool.

Mr. Platten pointed out that the remaining point of issue is the number of units to be constructed. The applicant requests that 54 units be approved, the objectors have cited that between 32 and 38 units be constructed and the Planning Commission recommends that 42 units may be constructed. Mr. Platten questioned if Mr. Peace had any opinion to state as to the amount now requested by the developers. Mr. Peace indicated that he preferred to leave the application stand with the amount of 54 units as requested. He cited that the developers have agreed at this point to go along with all of the requests of the objectors in that the rear yard area has been increased, a screening of trees has been agreed to, incinerators have been agreed to and that janitorial services have been assured, along with proper operation of the swimming

pool. Mr. Peace further stated that application had been made before the Zoning Board of Adjustment for a vote of approval for the construction of multiple dwellings and that approval had been granted by the Zoning Board.

Mr. Kirkland questioned concerning the influence of the petition filed by him and the recommendation received from the Planning Commission has upon the opinion of Council in granting approval of the zoning including the erection of the 54 units in the project. Mr. Platten indicated that the pending motion before the Council disagrees both with the request received from the residents and from the recommendation of the Planning Commission. Mr. Platten further indicated that the making of the motion as above stated indicates a judgment decision on the part of the councilman making the motion. Following the discussion as to the number of units to be permitted, an amending motion was made by Mr. Haigler, seconded by Mr. Hillas to reduce the number of permitted units to be constructed to 48 units, with all other conditions as stated in the previous motion to be allowed to stand. Following a further discussion of the total number of units to be permitted, Mr. Platten suggested that Mr. Peace and the developers hold a short meeting outside of the council room to determine whether they would consider revising their application to receive permission to permit the construction of 48 apartment units.

Mr. Platten introduced the subject of the reconstruction of Horsham Road and reported that at the council meeting held on May 9, 1960 he had been directed by the Council to meet with the County Commissioners in connection with the possibility of having the county take over and reconstruct Horsham Road at this time. Mr. Platten reported that he held a meeting with the Commissioners and advised that the borough was at this time prepared to go ahead with the reconstruction project during the year 1960 and asked if the county would be able to take over the road and take care of the project. A letter dated June 13, 1960 received by Mr. Platten from the County Commissioners was read by the Secretary as follows:

"This will confirm our understanding as to Horsham Road. The County has already approved an application for funds to repair that portion of Horsham Road that is within the Borough of Hatboro. The County is not in a position to assume the ownership and maintenance of that portion of Horsham Road during 1960 but might be in a position to do so in 1961. If Borough Council decides not to proceed with repairs to the road during 1960, and decides to wait for the County to assume ownership in 1961, the approved application for County funds must be returned to the County and will be voided."

Signed by Commissioners Wetherill, Cornell and Costello

Following the reading of the above letter, Mr. Rudolph suggested that it might be possible for the borough to proceed with the reconstruction of Horsham Road with the County reimbursing the Borough for the cost of the project next year. Mr. Platten indicated that he had proposed such a procedure in the meeting with the County Commissioners but that the above letter indicated that no decision on this request had been reached. Mrs. Coleman commented that due to the reduced cost of the construction project after receipt of the

bid as compared to the total cost reported to the County on an estimated basis it is possible that the county aid might have been a much lower figure if the true bid cost had been known at the time the application had been approved by the commissioners.

A motion was made by Dr. Brooks, seconded by Mr. Mosetter, to authorize the Highway Committee to award bids for the reconstruction of Horsham Road to the lowest responsible bidder for the work to be done this year. Mr. Platten indicated that proceeding on this basis would entail the use of \$25,000 funds granted from the county with \$15,000 to be taken from the State Highway Fuel Tax Fund with the balance to be made up of borough funds. Mr. Haigler indicated that due to the fact that certain items such as curbs and sidewalks being assessable, it is possible that no borough funds will be required to cover the cost of the project. The vote on the motion indicated that the motion was approved unanimously by the Council.

Mr. Haigler reporting for the Highway Committee reported that the committee has analyzed the bids as tabulated by the engineer. A motion was made by Mr. Haigler, seconded by Mr. Rudolph and approved by the Council to accept the bid of the lowest responsible bidder, P. F. Stauffer & Sons, Willow Grove, Pa., in the amount of \$43,959.06 for the reconstruction of Horsham Road. Dr. Brooks questioned how soon the contract documents could be signed and work started. It was agreed that ground would be broken by June 30, 1960 and with 120 calendar days for the completion of the work, it was estimated that the road should be completed for use by October 15, 1960.

Mr. Platten presented for consideration an ordinance to provide for the assessment of two-thirds of the cost of construction of curbing on York Road and Crooked Billet Road, indicating that the assessable cost to the property owners would be approximately \$2.90 per front foot. A motion was made by Mr. Platten, seconded by Mr. Hillas, and approved by the Council to adopt the following ordinance:

AN ORDINANCE

AN ORDINANCE SUPPLEMENTING ORDINANCE NUMBER 331 AND PROVIDING FOR ASSESSMENTS FOR THE COST OF CURBING ON THE FRONT FOOT BASIS AGAINST THE OWNERS OF PREMISES BENEFITED THEREBY ON THE WEST SIDE OF SOUTH YORK ROAD.

Mr. Rudolph presented the reports of the Police Department, the Building and Plumbing Inspector and the Assistant Health Officer for the month of May, 1960. These reports are available for inspection if required.

In connection with various changes for parking restrictions on Madison Avenue, Chester Avenue, Spring Avenue and Abbotts Lane, Mr. Rudolph presented the following ordinance which was read by the Secretary. A motion was made by Mr. Rudolph, seconded by Mr. Mosetter and approved by the Council to adopt the following ordinance:

AN ORDINANCE

AN ORDINANCE AMENDING THE ORDINANCE REGULATING THE TRAFFIC IN, AND CERTAIN USES OF THE HIGHWAYS OF THE BOROUGH OF HATBORO, ADOPTED FEBRUARY 6, 1950.

Mr. Rudolph reporting for the Public Safety Committee reported that Mr. William White had reported for duty with the Police Department on May 16, 1960 and Mr. William O'Shea had reported for duty with the Police Department on June 2, 1960. The Police Department is now at full force with 8 policemen employed. Mr. Rudolph also reported that Mr. Harry Weeks, recently retired from the Police Department, had been employed as a desk man in the police office.

Mr. Rudolph reported that two informal bids had been received for demolition and removal of the Ivycrest building located at Summit Avenue and Jefferson Avenue, which had been recently condemned by action of the borough Council. Prices received are \$850 from Tinari & McNamara and \$900 from Geppert Sons. A motion was made by Mr. Rudolph, seconded by Mr. Haigler and approved by the Council to adopt the following resolution authorizing the above work to be performed and appropriate funds transferred to cover the expenditure.

RESOLUTION

WHEREAS, The Borough Council has taken required legal action to condemn the building known as the Ivycrest building, Summit Avenue and Jefferson Avenue, as outlined in a previous resolution,

NOW THEREFORE BE IT RESOLVED, That the Council directs that the building be removed and that the sum of \$850 be transferred in the borough budget from Account #180, unappropriated balance, to Account #23-B Building Regulation, Other Expense.

Dr. Brooks pointed out that the action taken by Council in the above resolution is mainly due to the safety hazard presented by the condition of the building and the improper attraction from the moral viewpoint.

Mr. Rudolph discussed the action taken at a previous meeting directing that a tree located at the southwest corner of Warminster Road and Fulmor Avenue be removed. Several letters have been written to the property owner to no avail. A motion was made by Mr. Rudolph, seconded by Mr. Haigler and approved by the Council to adopt the following resolution:

RESOLUTION

RESOLVED, That the Maintenance Department of the Borough arrange for the removal of the tree located at the southwest corner of Fulmor Avenue and Warminster Road, as it represents a definite hazard to vehicle traffic entering Warminster Road. The cost of such tree removal is to be paid for by the property owner under the provisions of the Shade Tree law.

Mr. Rudolph discussed the action taken at a previous Council meeting concerning the installation of a right-turn green arrow at the intersection of York Road and Byberry Avenue for north bound traffic. He advised that an approved permit had been received from the State Highway Department authorizing such an installation. It was reported by the Superintendent that the cost of material involved in this installation is approximately \$30. There being no objection on the part of the councilmen to such an installation the superintendent was directed to proceed with the work.

Mr. Rudolph reported that a meeting had been held in connection with the traffic problem in front of the Nu Life Cleaners building, 340 South York Road, owned by Meade and Wolf. At the meeting certain proposals had been submitted by Mr. Duffy, representing the property owners, which called for the construction of curbs and markings of the traffic lanes to direct that traffic flow in a definite direction. Such action would also remove the possibility of cars backing out into York Road. The committee recommends that an agreement be drawn up by the Borough Solicitor to incorporate all of the items included in Mr. Duffy's letter and to have the borough's equity suit marked settled provided a stipulation is filed for the record and on the basis that the borough waives the zoning violation without prejudice in any other such case that might arise. A motion was made by Mr. Rudolph, seconded by Mr. Hillas, to settle the borough suit with Mrs. Wolf and Mr. Meade, incorporating the provisions of settlement as outlined in the above committee report. Mr. Rudolph indicated that the solution of the traffic movement is not completely satisfactory but that the above action is the best that can be arrived at under the circumstances. Mr. Haigler pointed out that the problem began by the issuance of a building permit based on a plan not showing the curb adjustment proposal and that the curb permit issued by the State was issued against the borough's wishes. Mr. Haigler also objected to the likening of the turn-around feature as being similar to a gasoline station and pointed out that the turn-around in front of the dry cleaning establishment as being on a much shorter radius basis. He also objected to the establishing of a precedent in permitting a violation of the Zoning Code. He pointed out that the turning radius of most modern automobiles would not permit operation of the feature as submitted by the owners. The vote on the above motion was as follows: In favor--Messrs. Mosetter, Hillas, Rudolph and Platten; Against--Mr. Haigler with Dr. Brooks abstaining from voting. Dr. Brooks explained his abstention from voting as it related to a similar problem pending court action under his name.

Mr. Rudolph presented the question of a mosquito control program for the summer season of 1960. He indicated that a communication had been received from the county indicating that a county budget appropriation had been made for this type of work. Contact with the county had been made by the Secretary and indications have been given that the county would be able to pay approximately 20% of the cost of such a program. Following a discussion no action was taken on this item.

Mr. Rudolph presented for approval an agreement between the Upper Moreland-Hatboro Joint Sewer Authority and Mr. and Mrs. New of the northeast corner of Easton Road and Township Line Road calling for the connection of a motel unit to the sewer system. It was

indicated that the terms of the agreement are similar to all agreements previously presented to the borough council. A motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to grant Council's approval to the above agreement.

The Secretary called attention to the fact that the present zoning ordinance does not have a provision under the Retail classification section indicating that set-back lines indicated on the zoning map are so required in the zoning ordinance. A motion was made by Mr. Hillas, seconded by Mr. Rudolph to adopt the following resolution to arrange for a hearing to be held on July 11, 1960 preparatory to making an adjustment to the zoning code for the above purpose. The vote on the motion was: In favor--Messrs. Mosetter, Hillas, Platten, Haigler and Rudolph, with Dr. Brooks abstaining from voting.

Mr. Rudolph indicated that his committee is presently considering an ordinance regulating the construction and operation of private swimming pools in the borough. Further consideration will be given at the next committee meeting to completing the ordinance.

In connection with an appointment to be made to the Hatboro Pension Fund Committee, a motion was made by Mr. Hillas, seconded by Mr. Platten and approved by the Council to appoint Mr. Emmett Henry, 233 Byberry Avenue, to serve as a member of the Hatboro Pension Fund Committee.

Solicitor Henderson presented a proposed ordinance to regulate the construction of curbs on all streets including state highways in the borough of Hatboro. Following a discussion the proposed ordinance was referred to the Highway Committee for completion as to fees and schedules and to be presented at the next Council meeting for adoption.

Mr. Haigler discussed a request from Mr. William Benner for the issuance of a building permit for the construction of a house on Jefferson Avenue, south of Corinthian Avenue. Mr. Haigler indicated that his committee believes that the borough is not prepared to build the street and has been advised by Mr. Benner that he is not willing to construct the street to connect to the existing street at Corinthian Avenue. The committee therefore recommends that the building permit be denied. Mr. Benner questioned why in the past has the borough granted permits for houses to be built on streets and at a later date constructed the streets with no assessment for street costs made against the property owners. He indicated that he bought the property under the impression that a permit could be issued for the building of the homes or he would not have purchased the properties. He indicated that he purchased three 50' lots and intends to only construct two houses on the 3 lots, one house already being constructed. Mr. Haigler presented the recommendation of the Highway Committee to require that the builder construct the street and curb as a requirement of the issuance of a building permit for the houses. Mr. Hillas also agreed that he would grant a building permit if the builder would put the street in front of his own homes, not necessarily to connect to the nearest paved street. Mr. Benner indicated that the new property owner would be satisfied with a stone surface at this time and would be willing to pay assessment costs when the complete street is constructed at a later date.

A motion was made by Mr. Haigler, seconded by Mr. Rudolph to approve the issuance of the building permit with the requirement that curbs and street paving for the present and future homes to be built by Mr. Benner be installed by the builder. An amending motion was made by Mr. Hillas, seconded by Mr. Platten, to indicate that the above requirement would apply only to the proposed home, not to the already constructed home and that the motion be revised additionally to provide that the builder "would make provision for the construction of curb and street satisfactory to the borough". The vote on the motion to amend was: In favor--Messrs. Mosetter, Platten and Hillas; Against--Messrs. Rudolph, Haigler and Brooks. Mr. Platten called on Burgess Williams for his tie breaking vote and Dr. Williams voted in favor of the amending motion. The amending motion was therefore declared approved. Mr. Platten called for the vote on the original motion as amended and restated as follows: A motion made by Mr. Haigler, seconded by Mr. Rudolph to approve the issuance of a building permit to Mr. Benner for 1 house on Jefferson Avenue, south of Corinthian Avenue, requiring the builder to make provision for curb and road construction satisfactory to the borough. The vote on the motion was: In favor--Messrs. Mosetter, Hillas and Platten; Against--Messrs. Brooks, Haigler and Rudolph. Mr. Platten called on Burgess Williams for his tie breaking vote and Burgess Williams voted in favor of the motion. The motion was declared approved.

Mr. Cochrane returned to the meeting in connection with his application for the construction of multiple dwellings on North York Road and indicated that he desired to have his application amended to cover the construction of 48 apartment units. A new and complete motion to include all provisions previously discussed was made by Mr. Platten, seconded by Mr. Rudolph to approve the adoption of an ordinance to change the zoning classification of the rear portion of Mr. Schieber's property on the east side of York Road, north of Summit Avenue, from Residential-A classification to Residential-C classification with the requirement that the following conditions be contained in a separate agreement between the builder and the borough of Hatboro.

- 1- That a rear yard of 40' be maintained in the construction of the apartment units.
- 2- That a screen of trees and shrubs be planted along the property line of the Windsor Avenue homes
- 3- That incinerators be provided as required and approved by the borough.
- 4- That the owner and operator of the apartment units provide maintenance for the interior and exterior of the project to insure cleanliness and good appearance including trash and rubbish disposal.
- 5- That the number of units to be constructed be limited to 48 units.
- 6- That curbs and sidewalk be constructed along York Road frontage.
- 7- That a temporary stone surface be provided on York Road between the curb line and the present shoulder of the road.
- 8- That the operating hours of the proposed swimming pool be the same as the borough pool, that proper pool fencing be constructed and that appropriate State health laws be complied with in the operation of the pool.

- 9- That the subdivision of the property as requested and indicated on the plan, be approved.

The vote on the motion was as follows: In favor--Messrs. Hillas, Brooks, Platten, Haigler, Rudolph; Opposed--Mr. Mosetter.

Dr. Brooks presented a subdivision plan for the division of his property at 242 South York Road, which was received and referred to the Planning Commission for review and recommendation at the next meeting.

Mr. Platten presented for discussion the Lucy Barnes-Garner property development proposals as adopted by the Council and presented to Newman & Master. A reply from Mr. Newman dated June 8, 1960, (copies of which have been distributed to all councilmen), was reviewed and discussed. Mr. Gamburg indicated that one of the problems encountered was that the parking requirements for the 47½' frontage on York Road and the Penn Street frontage properties as required to provide their own parking facilities. He indicated his opinion that this appears to be no problem as an application can be made before the Zoning Board of Adjustment for relief from these requirements.

Following a discussion of the items listed in Mr. Newman's letter of June 8, a motion was made by Dr. Brooks, seconded by Mr. Hillas and approved by the Council to revise Paragraph 9 of a previous resolution adopted on May 9, 1960 to provide that all entrances shall be constructed by the developers or other parties at no cost to the borough and dedicated to the borough along with the dedication of the parking lot itself.

A motion was made by Mr. Hillas, seconded by Dr. Brooks and approved by the Council, to direct President Platten to personally communicate the substance of the discussions and agreements reached at this meeting in reference to the Garner--Lucy Barnes development to Mr. Philip Newman.

The following bills were presented by the Secretary and approved by the Council for payment:

<u>Vo#</u>	<u>Vendor</u>		
1071	J. F. Alexander & Co.	\$	38.80
1072	M. A. Bruder & Sons		49.30
1073	Brooks Paint Store		228.83
1074	James C. Brinton, Clerk of Courts		5.00
1075	Jim Banes Ford, Inc.		20.26
1076	Bell Telephone Co. of Pa.		16.94
1077	Bell Telephone Co. of Pa.		107.99
1078	Bux-Mont Cleaners, Inc.		11.60
1079	Creative Chemical Co.		20.00
1080	Turnpike Express		4.16
1081	C. & C. Supply Co., Hatboro		4.74
1082	Chain-Link Fence Co.		25.04
1083	James Craig		19.87
1084	Cameron Sanitary Landfill, Inc.		124.00
1085	Columbia Ribbon & Carbon Mfg. Co.		8.17
1086	Delaware Valley Concrete Co., In.		388.45

<u>Vo.#</u>	<u>Vendor</u>	
1087	Eureka Stone Quarry, Inc.	5.19
1088	Erwin Printing, Inc.	16.75
1089	Ed's Hardware	3.30
1090	Exclusive Fabrics	8.45
1091	J. Fegely & Son	79.60
1092	Fidelity Companies	19.20
1093	Mr. Chester DiLauro	300.00
1094	Mr. Harry H. Barford	300.00
1095	Dr. Myron W. Frederic	6.00
1096	The General Crushed Stone Co.	161.37
1097	Galer & Hults, Inc.	13.30
1098	Herman Goldner Co., Inc.	95.34
1099	Grove Supply, Inc.	3.95
1100	Gregory's Sportswear	13.65
1101	Mr. Eugene E. George	164.39
1102	Hatboro Lumber & Fuel Co.	34.55
1103	Hatboro-Horsham Joint School Board	3.99
1104	William Wolfe	35.00
1105	Hatboro Hardware	6.09
1106	Wm. Hobensack's Sons	23.56
1107	Hatboro Borough Authority	561.74
1108	Hatboro Cycle Shop	5.00
1109	Handschuh	12.00
1110	Hatboro Electric Supply Co.	15.94
1111	Henderson, Wetherill & O'Hey	150.00
1112	Mr. Knox Henderson	125.00
1113	Harris Gramm, Inc.	1,022.46
1114	The Daily Intelligencer	52.00
1115	Keystone Hi-Way Traffic Equipment Co.	203.05
1116	Janet R. Kline	4.50
1117	Kufen Electric Motors, Inc.	68.60
1118	Kufen Electric Motors, Inc.	1.75
1119	Loev Brothers	60.28
1120	Lou's Sunoco	25.48
1121	E. S. McVaugh	19.45
1122	Marsden's Gas Service	24.00
1123	Milbury Atlantic Co.	225.43
1124	Miller & Cornell, Inc.	10.00
1125	Motorola Communications & Electronics, Inc.	137.00
1126	Markovich Auto Parts	15.80
1127	Philadelphia National Bank	5,162.40
1128	Transport Clearings	3.43
1129	Philadelphia National Bank, Trustee	3,173.28
1130	Postmaster - Hatboro	20.00
1131	Philadelphia National Bank	10.00
1132	Philadelphia National Bank	94.17
1133	Philadelphia Electric Co.	10.00
1134	Philadelphia Electric Co.	907.39
1135	A. Duie Pyle, Inc.	2.85
1136	Philadelphia Electric Co.	29.24
1137	Roxy Lawnshear Corp.	34.30
1138	Dr. William H. Regelman	5.00
1139	R. L. Stott Co.	36.85
1140	P. S. Stauffer & Sons	161.25

<u>Vo.#</u>	<u>Vendor</u>	
1141	Sinclair Refining Co.	251.87
1142	Stockburger Chevrolet, Inc.	1,695.43
1143	Taggart's Hardware	20.46
1144	Upper Moreland-Hatboro Joint Sewer Auth.	26.78
1145	J. B. Winder, Jr.	29.00
1146	Worstall Stationery Co.	28.00
1147		
1148	Bux-Mont Office Supply Co.	7.40
1149	Paul Trucksess	40.00
1150	Bux-Mont Office Supply Co.	126.75
1151	Raymond C. Hare & Son	3.50
1152	Philadelphia National Bank	927.96
1153	Philadelphia National Bank, Trustee	234.08
1154	Philadelphia National Bank, Trustee	498.49

A motion was made by Mr. Hillas, seconded by Mr. Platten to adjourn the meeting, the hour being 11:45 P. M.

Thomas A. McClellan
Secretary

Hatboro, Pa.
June 16, 1960

A special meeting of the Borough Council was held in the Council Room on the above date for the purpose of considering a proposal from the Montgomery County Commissioners to take over and reconstruct Horsham Road in the year 1960 and to consider any other business to come before the Council.

The meeting was called to order at 8:00 P. M. by President Platten with the following present: Councilmen Mosetter, Hillas, Brooks, Platten, Haigler, Rudolph, and Gaither, Burgess Williams, Solicitor Henderson, two press representatives, and approximately 26 residents.

Dr. Brooks read the following statement concerning negotiations with the County Commissioners of Montgomery County in connection with the Horsham Road Improvement Project:

"On Monday evening - June 13th - a letter from the County Commissioners was presented to Borough Council stating that the County could do nothing with Horsham Road in 1960 and might take it over in 1961.

"Having felt that Horsham Road had been used as a political football and realizing the necessity for definite action, I moved that the bid for construction be awarded to the lowest responsible bidder and then referred it to the Highway Committee.

"On Tuesday, June 14th, Mr. D. Stewart McElhone contacted me by phone and advised me that he would like to discuss Council's action with reference to Horsham Road. Mr. McElhone met with me at 1:30 P. M. and discussed the Commissioner's letter. He agreed that the letter was very ambiguous but that interpretation was a factor in understanding the situation.

"Mr. McElhone asked if I would accompany him to the County Commissioners to discuss their position and decision reflected in their letter of June 13th.

"On Wednesday morning, June 15th, at 11:10 A. M. Mr. Edmund Haigler, Chairman of the Highway Committee, Mr. Knox Henderson, the Borough Solicitor, Mr. McElhone and myself met with Commissioners Wetherill, Cornell and Costello. Also in attendance at the meeting were Mr. Reynolds, the County Solicitor, Mr. C. Riggs and the Secretary of the Commissioners.

"Mr. McElhone reviewed the history of the problem of Horsham Road from its inception and wanted a firm commitment that the County would take it over in 1961. At this point, Mr. Wetherill expressed the opinion that the letter of June 13th was explicit and conveyed the Commissioners' views on the matter. I then asked permission to read a statement and then advised the Commissioners that their letter of June 13th was not clear and did not give Borough Council the commitments needed to reach a decision. Since Council was at a point that it felt the work had to be done - I specifically asked whether they could take the road over and do the work in 1960. When the Commissioners heard the bid price of about \$44,000 and had committed themselves for \$25,000 in aid - they explained

that sidewalks were not County responsibilities and that if the \$6,000 for sidewalks was subtracted from the \$44,000 bid, they would only have to add approximately 12 or 13 thousand dollars to their commitment of \$25,000 and they could handle the whole project.

"Mr. Costello was firm in his statements that the road was in a deplorable state and asked how the Commissioners could politically answer charges if a child were killed because of the \$8,000 or \$10,000 difference in cost. The Commissioners then discussed the matter bringing out the fact that they would have to rebid the job and then award contracts for the paving and curbing. The Borough would handle the sidewalk construction and assessments.

"The question of our awarding the contract was brought up and the Commissioners advised us that this problem would have to be solved by the Borough.

"I made the point on two occasions that our time schedule was important in order to obtain the improved road and sidewalk use for the beginning of the fall term of school. Mr. Haigler and I also impressed upon the Commissioners that on June 13th, they had notified us in writing that they could do nothing on Horsham Road in 1960 and might do it in 1961. We emphasized that less than 48 hours later - they had reversed their position and that following Mr. Costello's description of the condition of the road had agreed to take it over and reconstruct it in 1960.

"When the meeting was about over, I asked specifically - 'Prior to this date of June 15th, had the Commissioners ever offered to take over Horsham Road and reconstruct it?' The three Commissioners Wetherill, Cornell, and Costello all agreed that the offer had never been made by their office. In the light of all the political propaganda that has gone on over Horsham Road for the past 5 months - I again asked the same question and was assured in positive terms that the Commissioners had never asked or offered to take over Horsham Road in any of their previous deliberations and that prior to our meeting with them on June 15th - had not considered it at all.

"My interpretation of the results of the meeting and I must emphasize that I have no written commitment from the County Commissioners is that:

- "(1) As of June 15th, they are willing to accept Horsham Road
- "(2) They are willing to appropriate further funds from their liquid fuel monies and reconstruct Horsham Road this year
- "(3) Engineering costs incurred by the Borough up to this time for grades, planning, etc. will not be reimbursed but the County will assume all engineering costs and inspection fees which now come up.
- "(4) They will install curbs and the Borough will handle the sidewalk problem and also assign any agreements held between the Borough and individual property owners over to the County
- "(5) That the County Commissioners prior to Wednesday, June 15th, had never offered to take over and reconstruct Horsham Road

"I submit the above as a factual recounting of the events of the past 48 hours with respect to my actions concerning Horsham Road.

"Mr. McElhone advised me that he contacted me because I was the one who moved that the Borough go ahead with the project and that the contract be awarded to the lowest responsible bidder."

Dr. Brooks also presented the following statement that was read by the Secretary indicating his report on the meeting held with the County Commissioners on Tuesday, June 14, 1960:

"Gentlemen: As you know, for almost three years, the Borough Council of Hatboro has been working on the improvement of Horsham Road and have had numerous meetings with the property owners abutting the road and have planned the reconstruction in such a way as to cause as little inconvenience as possible and to make the assessable costs as low as possible. The School Board of Hatboro has been requesting grades for Horsham Road for over two years in order that they could install sidewalks on their property to protect the children who must walk along Horsham Road on their way to the Penny-pack Elementary School.

"When the engineering and planning was completed, the Borough applied for County aid and our capable Council President, Mr. Peter Platten, presented our request to your Board. Since that time, the reconstruction of Horsham Road, the County aid, and every facet of the problem has become a political football with charges being hurled at Borough Council and particularly our President of Council to the effect that we are throwing away \$40,000; that the County offered to take the road over and reconstruct it at their expense; and that Council is subjecting the property owners to undue expense.

"I would like to feel that this honorable board is above politics when municipalities earnestly request and need the financial aid of your group.

"The basic question involved here, at this time, is that our Council received a letter signed by the 3 Commissioners on June 13th which stated in effect that you could not take over the Horsham Road in 1960 and that you might do so in 1961. The letter did not state that you would or could or will take it over.

"The letter stated in the last paragraph that if the Borough Council saw fit to defer the reconstruction in 1960 - that our grant from your Board be returned. In other words, we are advised that if we return the \$25,000 aid, the County might take over the road in 1961. There is always the possibility that if we return the grant, the County might not take over the road in 1961 and with a possible and probable increase in construction costs and a possible decrease in County aid - the Borough will stand to lose.

"Our Council President, being an honorable man, has bent over backwards in order to explore every possible solution to this problem. He has been ridiculed, degraded, and made to appear as a prevaricator because of statements that have been traced back to your honorable Board.

"With no further diplomacy, hog-wash, or legal mumbo-jumbo, I respectfully ask -

- "1. Is the Board in a position to definitely state that you will take over Horsham Road in 1961?
- "2. Since contracts have been awarded and we are assured of \$25,000 this year, would your Board go along with our reconstruction of the road this year and appropriate further funds in 1961 to reimburse the Borough for the difference between \$25,000 and actual cost of construction and take over the reconstructed road in 1961? In this way, we have one year's use of the road and sidewalks for our children and the end result would be the same.

"As for politicking with this problem, I am more than willing to leave that to the professionals who have done so well during the past 5 months. I feel it is only fair to request that your Board, being an honorable group far removed from the political cesspool when it comes to important decisions such as this, recognize that our Council President has been placed in a position not to our liking and that a simple statement by your Board would relieve the situation."

Dr. Brooks reported that the County Commissioners have verbally agreed to take over and reconstruct Horsham Road in the Borough of Hatboro in 1960 using our plans and specifications. The agreement also indicated that no curb assessments are to be made and that sidewalks, if constructed by the Borough, can be assessed to the property owners by the Borough; it was also indicated that rebidding of the job by the County may be necessary.

Mr. Haigler indicated that in his opinion the letter from the County Commissioners presented at the Council meeting held on June 13, 1960 was not ambiguous. He further reported that the Borough after spending much time and study had established the lines and grades and that several meetings had been held with the landowners along Horsham Road; that agreement has also been reached with Mr. Polis concerning the establishment of a new curve in the road at his property with no land damages payable by the Borough. Mr. Haigler indicated that in order to effect a proper judgement of the offer the following facts should be known: (1) that no commitment has been made by the County Commissioners to accept the existing engineering plans of lines and grades; (2) that the existing storm drainage problems along Horsham Road are unknown to the County Commissioners; (3) that the work schedule of the County has not been stated and that rebidding of the entire project may be necessary with the result that a higher bid may be obtained at this time; (4) that no decision was made at the meeting as to whether County workers or outside contractors would do the job; (5) that access to the properties for the benefit of the residents had not been settled for the period when the work is being performed.

Mr. Haigler further discussed the question by indicating that if the Borough does the job under its own contract that direct curb costs would amount to \$8,000 with \$4,200 in direct cost for sidewalk work including tree removal and grading being equally apportioned

between curbs and sidewalks. If two-thirds of the cost is assessed to the property owners for the curb work, the Borough will be required to pay approximately \$1,400 out of general funds and that an additional expenditure of \$14,300 will be required out of the State Highway Fund along with the \$25,000 grant received from the County for the project. He further indicated that property owners would be assessed approximately \$5,300 in direct curb costs excluding engineering and overhead costs; if the county does the job, the property owners will save approximately \$5,300 on the curb costs. He further pointed out that if the Borough performs the work and uses the \$13,000 from the State Highway Fund on the Horsham Road project, such amount will not be available for similar work on roads in other parts of the Borough. He further expressed the opinion that if new bids are required and higher bids are received it may be that the County cannot fit it into this year's budget.

Mrs. Gaither questioned if the County would be legally required to rebid the project. Solicitor Henderson advised that the County Solicitor so advised at the meeting but that in making a further check, Mr. Henderson had found several sections in the County Code whereby the County could enter into an agreement with the Borough to pay for the cost of the project. Dr. Williams questioned if it was customary for the County to intrude in or disturb the bidding accepted by the Borough. Mr. Henderson indicated that he did not consider such action by the County as intrusion as the County had made a definite offer to the Borough in connection with the Horsham Road project. Dr. Brooks indicated that the County had verbally agreed to take over and rebuild Horsham Road in the year 1960. In response to a question raised by Dr. Williams as to whether the County's specifications were as good as those prepared by the Borough, Engineer Haggerty indicated that in his opinion, the County Specifications were comparable.

Mr. Platten indicated that if the Borough takes affirmative action on the offer made by the County, the County Code provisions permitting the Borough to do the work should be cited in our action as a recommendation to handle the project on such a basis. To do so would enable the work to go forward immediately; would assure that the low bidder is not dropped from the picture; would assure that the Borough Engineer would be retained in the project; would assure that property lines, drainage plans and the Polis agreement would be used as prepared and would assure that the work would be done in accordance with the Borough's wishes. To proceed on any other basis would leave the project uncertain. Bidding again at this late date in the work season may increase the cost of the project and make the acceptance by the County very uncertain. Both Solicitor Henderson and Mr. Platten agreed that in accordance with the provisions of the County Code, the project could be so handled and that the County Solicitor will be advised of such provisions and urged to make such a recommendation to the County Commissioners.

In response to a question from the audience concerning the awarding of the bid, Mr. Platten indicated that a vote of Council had been made at the last meeting but that the signed contracts had not been delivered to the contractor. It was agreed that at this point, the Borough has no legal obligation to any of the bidders. The 60-day holding period in the bid advertisement will enable the Borough to withhold a definite final decision for some days yet.

In response to a question from the audience concerning sidewalks, Mr. Platten advised that the present plans call for sidewalks on the south side only between York Road and Acadmey Road. He also pointed out that under the County plan the cost of the curbs would not be assessable to the property owners but that the cost of the sidewalks would be assessable by the Borough.

Mrs. O'Shea questioned if all of the property owners would bear the cost of the sidewalks. Mr. Platten advised that sidewalk costs are assessable by law only on those property owners on whose property the sidewalks are constructed.

In response to a question from the audience concerning a previous offer made to give the sidewalks free to those property owners giving ground for the needed street widening, Mr. Haigler advised that in the preparation of the lines and grades it had not been found necessary to take ground on the north side and therefore, the offer of the free sidewalks was not necessary. He further pointed out that if the County accepts our plans for their project, the same facts will hold true.

In response to a question from the audience concerning how much the property owners would save if the County handles the project, Mr. Haigler advised that the direct cost of the curbing over a 4,000 foot area was approximately \$5,348.

Mrs. Gaither questioned if the Borough's decision on the County's offer can be withheld until it is determined if the County must rebid the project. Mr. Platten pointed out that the Borough can take affirmative action on the matter tonight and await agreement on the part of the County Commissioners.

Mrs. O'Shea questioned if the Borough plans to reconstruct the road to the Borough limit on the northern side or south side of Horsham Road. Mr. Haigler indicated that the present plans call for reconstruction to the Borough limit on both sides.

In response to a question concerning who controls the working schedule and completion date if the County takes over the project, Mr. Platten pointed out that if the Borough's bids and Engineer are used by the County, we can retain some control over the completion of the project; however, if the County rebids the job such control will not be in the hands of the Borough.

In response to a question from the audience concerning how much will be saved if the County does the project, Mr. Platten pointed out that all of the curb costs to the residents of approximately \$5,000 will be saved; if the project is handled under a Borough contract, the Borough would spend approximately \$13,300 of the State Highway Fund and approximately \$6,000 from general Borough funds.

The question was raised in the audience concerning whether the Borough is interested in retaining ownership of Horsham Road. Mr. Platten pointed out that basically it is his personal philosophy that he believes in keeping Horsham Road and looking after our own problems but due to the cash saving to the Borough he would not let his personal feelings keep him from voting in favor of having the County handle the Project. Mr. Rudolph also expressed his opinion

in favor of the Borough keeping the road and taking care of its own problems but due to the financial saving to the residents in this instance he would vote in favor of the County handling the project.

A motion was made by Mr. Rudolph, seconded by Mrs. Gaither, to accept a resolution indicating the Borough's acceptance of the verbal offer received from the County to reconstruct Horsham Road provided Horsham Road is given to the County upon completion.

Mr. Platten, at this point, indicated that he preferred to have a show of hands from the audience as to their opinion on acceptance of the above resolution. Mr. Mosetter proposed that a phrase be included in the resolution to indicate that a firm commitment be received from the County in time to permit the Borough to accept the existing bids. Mr. Haigler indicated that he preferred to have the audience express their opinion on the question as to whether the offer should be accepted if the Borough Engineer, plans, specifications, and bids are accepted by the County on the project or whether the Borough Engineer, plans, specifications, and bids are not accepted by the County.

Mr. Platten indicated that the Council may withhold a decision until the County Solicitor replies as to the acceptance of our plans, specifications, and bids and make a final decision at a later date. Mr. Hillas expressed his opinion in favor of giving Horsham Road to the County with the requirement that the bids, plans, specifications, and Borough Engineer be accepted by the County in the project.

A motion was made by Mr. Hillas, seconded by Dr. Brooks, to amend the previous motion for the adoption of a resolution to indicate that if the County Commissioners agree to accept the plans, and specifications of Horsham Road already established and take over our contract or work out an agreement whereby in effect they will take over our contract, the Borough agrees to give Horsham Road to the County on condition that the work is completed in 1960.

Following a discussion, the motion was restated to indicate that the Borough would accept the offer of the County Commissioners on the basis that an agreement is entered into between the Borough and the County in accordance with Sections 2757 and 2758 of the County Code whereby the plans and specifications and bids and the Borough Engineer are accepted and the Horsham Road is reconstructed in 1960 by the County and then given to the County by the Borough. The vote on the motions was unanimous in favor of approval.

A motion was made by Dr. Brooks, seconded by Mr. Haigler, to adopt the following resolution:

RESOLVED that the Borough Council express its complete confidence and faith in the president of Council, Peter Platten, and that Council is cognizant of the fact that as head of the Council, he had been subjected to political abuse and attacks and has born the brunt of attacks directed at Borough Council on the Horsham Road construction project.

The vote on the motion was: In favor--Councilmen Mosetter, Brooks, Haigler, Rudolph, Gaither, and Hillas with Councilman Platten abstaining from voting.

Following a discussion, a motion was made by Mr. Platten, seconded by Mrs. Gaither, to adopt the following resolution:

RESOLVED, That the Borough Council expresses its appreciation to Dr. Brooks and Mr. Haigler for taking the time for consulting with the Commissioners on the Horsham Road project and expressing the appreciation of the Borough Council to the County Commissioners for listening to and deciding that our proposal was worthy of consideration and approval by the County Commissioners.

The vote on the motion was: In favor--Councilmen Mosetter, Hillas, Platten, Rudolph and Gaither with Councilmen Brooks and Haigler abstaining from voting.

Mr. Robert Berlin appeared before the Council in connection with his application previously placed before the Zoning Board of Adjustment in connection with the off-street parking requirement for his newly proposed store on York Road. He advised that on April 27, 1960, he had petitioned the Zoning Board of Adjustment for a variance on the parking provisions of the ordinance. He had proposed to construct a building 164' x 59' in size. After negotiations with the Zoning Board of Adjustment, the Zoning Board voted approval of a variance to permit the construction of a store with a sales area of 59' x 115' or approximately 7,000 sq. ft. of sales floor area. Several days later advice was received from the Zoning Board of Adjustment that the permissible sales floor area had been reduced to 4,000 sq. ft. and that a certificate had been issued on this basis.

Mr. Berlin quoted from a provision in the Zoning Code indicating that if two or more property owners join in an application for an agreement or a variance in which joint parking may be provided such action can be approved under the variance provisions of the Zoning Ordinance. Mr. Berlin presented a request to the Borough Council that a joint use agreement for the Borough and his store be drawn up for such use of a portion of the Moreland Avenue parking lot by Mr. Berlin and the Borough and present it to the Finance Committee for consideration and recommendation to the Council.

A motion was made by Mr. Hillas, seconded by Mr. Mosetter, and approved by the Council to adjourn the meeting. The hour being 10:30 P. M.

Thomas A. McClurken
Secretary

Hatboro, Pa.
June 27, 1960

A special meeting of the Borough Council was held in the Municipal building on the above date.

The meeting was called to order at 8:20 P.M. by President Platten for the purpose of adopting an ordinance to change the zoning of the Kirk-Friedman property, 118 East Moreland Avenue, to consider the adoption of a resolution in connection with the reconstruction of Horsham Road and to consider any other items as may come before Council.

The meeting was called to order with the following present: Councilmen Mosetter, Hillas, Brooks, Platten, Haigler, Gaither, Burgess Williams, Treasurer Gintowt, Solicitor Henderson, Engineer Hagerty, Superintendent Stauch, Building Inspector Wilcke, one press representative and nine residents. Mr. Gintowt was appointed to serve as Secretary pro-tem by Mr. Platten.

Mr. Platten reviewed action taken at a previous meeting in which a motion had been made and seconded to adopt an ordinance to approve the change in zoning classification from R-retail to Residential-C for the Kirk-Friedman property, 118 East Moreland Avenue, Hatboro, Pennsylvania. An amending motion had been made to table action on the adoption of the ordinance with the result that the tabeling motion resulted in a tie vote. Burgess Williams had decided to withhold his tie-breaking vote. Mr. Platten advised that he had been informed by Burgess Williams that on Thursday, June 23, Burgess Williams had decided to cast his vote against tabeling action on the adoption of the ordinance. As the result of such action, President Platten called this special meeting to take action on the motion to adopt the ordinance to change the zoning classification.

In connection with the consideration of this ordinance, Burgess Williams read a letter dated June 20, 1960 to Mr. David Friedman, of Roger Construction Company, concerning installation of incinerator units in the Madison and Osborne Houses, York Road and Madison Avenue. The letter reads as follows:

June 20, 1960

Mr. David Friedman
Roger Construction Co.
Warminster, Pa.

My Dear Mr. Friedman:

You expressed a willingness on Monday evening at the Hatboro Council Meeting to comply with the specifications of the Osborne, the Madison and the Annex Apartment Buildings and with the building permit issued for their construction.

I'd appreciate it if you would write me that the installation of the incinerator in each of these buildings has been started. Will you include the name of the manufacture, the type, specifications and capacity of each incinerator used in each building?

I'm writing to you as the counselor of the Roger Construction Company and request too, that your reply include the completion date for the installation of these incinerators.

When this work is done I request that you remove the outdoor incinerator your company has constructed north of the annex.

With my good wishes, I am

Yours sincerely

Dr. R. W. Williams, Burgess
Hatboro, Pa.

.....
Burgess Williams also presented a letter dated June 20, 1960 from Dr. David Friedman concerning the above questions which was read as follows:
.....

June 20, 1960

Dr. Rubin W. Williams
Burgess, Borough of Hatboro
32 N. Broad Street
Hatboro, Pa.

Dear Dr. Williams:

At the meeting held on Monday, June 13, 1960, relative to the change of zoning to permit the erection by Mrs. Friedman of an apartment house with fourteen units, I made the statement that Mrs. Friedman would install an incinerator in the Madison House and in the Osborne House, and you stated that if I would reduce that statement to writing you would immediately approve the change of zoning to permit the erection of a fourteen unit apartment house.

Therefore, you are hereby advised that Mrs. Friedman will install an incinerator in the Madison House and in the Osborne House.

Thanking you, I am
Sincerely,

David Friedman

.....
A letter dated June 21, 1960 from Dr. Williams to Mr. Friedman was read by Burgess Williams as follows:
.....

June 21, 1960

Mr. David Friedman
1010 Liberty Trust Building
Broad & Arch Street
Phila. 7, Pa.

My dear Mr. Friedman:

Many details were mentioned in the Hatboro Council Meeting on June 17, 1960. These were largely items not completed in and around the Madison, the Osborne, and the Annex apartments.

The restoration of some sidewalk footage on the west side of York Road where you connected in the sewer. In my opinion seems to rest somewhere between the Sewer Authority and the owner and whoever broke it. This is not a Borough item in my judgment.

The other items were (1) insufficient stone in York Road to make your drive way useful to your patrons and (2) provision for hard surface parking area so that some cars need not be parked on the grass or in the mud, and (3) the presence of food (for rats) in and about the outdoor incinerator.

I asked you if you would put your statement in writing for the sake of calmer discussions (I used the word friendship to which you objected. I implied the spirit of harmony.)

At no time did I state that I "Would immediately approve the Change of zoning to permit the erection of a fourteen unit apartment house"..as your June 20, letter states.

You were quite definite in your assurance to Council to rectify the items mentioned had you known they were incomplete or entirely omitted. It is in this spirit that I again request you to furnish me with the data requested in my first letter and request that you correct the items mentioned in this letter.

With my good wishes, I am

Yours sincerely

Dr. R. W. Williams, Burgess
Hatboro, Pa.

.....

Following a discussion it was agreed by Mrs. Friedman and the Council that the incinerators would be installed inside the buildings, that the Annex building would not need an incinerator as the incinerator of one of the adjacent buildings would take care of the Annex. It was also pointed out that at the time the sidewalk and curbing construction was completed an inspection was made by Mrs. Friedman and Mr. Stauch which indicated that all curbs and sidewalks had been properly installed and were in good condition. Damage to sidewalks since that date may have been caused by moving trucks or vans. Mrs. Friedman also agreed that stone would be placed along the east side of York Road just outside the curb line immediately adjacent to Mr. Boghetti's driveway. It was also indicated that additional stone would be required at the driveway at the north end of the apartment project adjacent to the Stephen's property.

Dr. Brooks indicated that on June 23, 1960, he had circulated a memo to all councilmen and the Burgess concerning the rezoning of the property for Mrs. Friedman. The memo is listed below:

To: All Council Members and the Burgess

Subject: Rezoning of the Ark property for the Kaser Construction Co.

Mrs. Friedman in her presentation before Council stated the following:

"I believe that the way I manage my apartments is a credit to the town."

"I deserve praise since there is nothing else in our town that can compare to my apartments."

"Taxes are very high and the Borough does nothing - absolutely nothing for me. I pay between 10 and 11 thousand dollars in taxes per year."

"The Borough is doing nothing for me and I haven't complained although I should complain."

In reply to a question directed to her as to whether incinerators were incured as a condition for her obtaining a building permit, she admitted that the requirement was inserted in the permit and was done like a hammer over her head. She then stated that she ought to know how to manage her buildings. We can only assume that she accepted the building permit with its conditions and then did as she chose - once the building permit was granted.

Mrs. Friedman stated that the outside incinerator problem was petty and that Council "is supposed to be men of stature."

I submit that the way she manages her apartments, if proper and meeting with our health and sanitation standards is a requirement of the Borough and not a credit to her. I agree entirely with her that there is nothing else in our town that can compare to her apartments and I am thankful that Hatboro has not become, as yet, a cliff-dwellers paradise of multi-unit apartment buildings so that a comparison might be made.

When Mrs. Friedman complains of high taxes, I would like to offer information for the year 1959 - the York House which was originally assessed to \$60,000 and was reduced by appeal to \$50,000 supplied \$700 to the Borough and \$2300 to the school system. The Madison House was assessed at \$25,000 as an unfinished building and gave \$350 to the Borough and \$1150 to the schools. The Osborne House was assessed at \$10,000 as an unfinished building and brought \$140 to the Borough and \$460 to the school.

Thus, in 1959 the Borough received a total of \$1190 and the school system a total of \$3910. (This is a far cry from the ten or eleven thousand she said she had paid.)

For her taxes Mrs. Friedman received police protection, the

use of adjacent borough streets, and her tenants could avail themselves to the Borough recreational facilities and program.

In addition, by her Realtor's count, 7 children resided in the units. If her assessments in 1960 are figured on completed buildings and no appeals are taken - then an assessment of \$150,000 is in order and at the new tax rate of 68½ mills - she will be paying \$10,275 total taxes.

Mr. Friedman stated that he has 100% leasing and has done much for the community. I submit that the 100% leasing is a result of locating her apartments in a desirable community and that the community has done much for Mr. Friedman. He states that he has done a service and Council should be considerate and I reply that Council has done a service for them and that they should be considerate.

With respect to Mr. Platten's statement that we have several controls yet to be exercised: "A building permit is yet to be issued, a satisfactory agreement is yet to be drawn up, and an application must be filed before the Zoning Board. "I offer the fact that these are no more of a controlling factor than the past building permit she obtained with the stipulations for inside incineration and that her contempt of Council is evidenced by the fact that as the builder, she did not live up to the requirements of her last building permits.

Mrs. Friedman stated "Council is supposed to be men of stature" and I agree with her completely. If Council decides to go along and grant the zoning change on her promises or on the words of her Attorney who admitted he did not know the incineration was required during the last construction - then the supposition and has no foundation in fact.

The outside developers have, in the past, failed to live up to their agreements - viz. Polis entering into agreement with the Borough to dedicate land for Jacksonville Road when and if it is extended: Friedman agreeing to install inside incinerators and then failing to do so, etc.

As men (and woman) of stature worthy of being called Council members, I call upon all members of Council to evaluate the above facts and figures and then vote on the question as befits people of stature.

Eugene I. Brooks,
Councilman

.....

Dr. Brooks referred to a review of the number of complaints received from the Osborne and Madison Houses to the Police Department during the past year and a half. He indicated that there were more than 19 complaints received and asked that the record of the complaints be entered in the minutes.

.....

COMPLAINTS INVESTIGATED AT THE OSBORNE,
MADISON, & YORK HOUSES.

10:28 PM	9/7/58	Mr. Newcomb, reported seeing a car without lights pull into rear of Bldg. New Apt. on York Road
7:40 AM	12/10/58	A resident of the York House, Crescent & York requested how to contact an officer of the Hatboro Branch of the Phila., Nat'l Bank. Gave him Resendorphs' telephone Weak & Pitman.
10:00 AM	12/14/58	Mrs. Sylvester, York House Apt. G-2 Family. Mr. Sylvester, had been drinking. Chief & Pitman.
6:15 PM	12/24/58	Marshall Taylor, complaining of disturbance found Thomas Sylvester drunk. Chief
4:30 PM	4/11/59	G. W. Airman, called tenants at York House, reported that teenager boys peeping in windows last night.
4:00 AM	7/29/59	Request from P.SP. Quakertown, Barracks to check out one Ambrose Nickals, Apt. C-2 Madison House. Involved in a slight 10:09 in their territory. Found Mrs. Nickals, on the sidewalk she was waiting for her husband to come home. Mrs. Nickals, will pick her husband up.
10:15 PM	6/10/59	Stopped Alice Turner, Southampton, picking up stones at Yor, & Madison.
9:46 PM	6/11/59	Mr. Anderson, York Apts. Comp:-41
	6/11/59	Mr. Anders, complaint of (2) boys about 17 yrs to 21 yrs hanging around the rear of the Apartment house. Comp.-141
5:15 PM	9/9/59	Mrs. Freedmann, called this station at 5:15 PM this date and reported that someone broke into workmens tool house and stole a lawn mower during the night. This B & E happened between the hours of 9/8 and 5:15 9/9. B & E CompL-236.
	10/19/59	Mrs. Stratton, reported that she was out of her apt. from 1:30 PM to 3:30 PM this date and when she returned she found the furniture moved a check of the apt. reported seeing (3) men #1 about 6' wearing gray suit & gray hat and a black shirt. The other two were shorter no futher description. These men entered the Stratton section of the bldg and leave about 3:00 PM checked the other apts. and no one seen the men except Mrs. Stein, Apt. D-1 Madison House.
7:15 PM	1/19/60	Mrs. C. T. Stratton, Madison Ave. Apt. A-2 Comp:264

5:25 AM 1/4/60 Received a call from Mr. Capen, Apt. 1 Osborne House comp. 3 disturbance.

11:30 PM 1/13/60 Call to Madison House, Rocco, apt. C-2 family disturbance.

7:15 PM 1/12/60 Theresa Goetzowski, Madison House, Apt. C-1 Comp:11

7:28 PM 1/16/60 Mrs. Gorsoski, Apt. C-1 Madison House Person unknown ringing her door bell for nothing.

9:00 AM 2/11/60 Picked up Mrs. Anna Rocco, Madison Ave. Apt. 2-C contacted Lieut. Manning, Phila. Police Forgery Squad. Who stated it was alright for Mrs. Rocco, to come to City Hall she will make restitution

10:12 PM 3/20/60 Call from Mr. Stein, 490 N. York Road wild party at Madison House in apt. above his very noisy checked and found a christening party in progress told to calm down.

6:25 AM 5/3/60 Apt. F-1 York House, man outside banging on door.

Terry Goskowski, Cynthia Clayton, and Lois Osko, school teachers who reside at apt. C-1 Madison House York & Madison Ave. reported that their apartment was entered and searched while they were teaching school. Sometime this date between 7:30 AM and 4:00 PM there were no locks or windows broken both front & rear doors were locked. The contents of three drawers containing only womans clothes (under) spread about bedroom \$3.00 taken from the cabinet in living room. Advised the women to change locks on doors.

.....

The introduction of the above items by Dr. Brooks is a rebuttal to the statement made by Mrs. Friedman at a previous meeting that the Borough hasn't done anything for the amount of taxes paid by her for her buildings.

Mr. Haigler indicated that he wanted definite assurance that in the future an occupancy certificate would not be issued until all building requirements were met. Mr. Platten indicated that due to the closeness of the situation to the Council on these problems he felt that no occupancy permit would be issued without the building inspector informing the Borough Council of any irregularities in construction or completion of the project. He further stated that the issuing of such a certificate be handled through the Zoning Board of Adjustment as far as compliance with the Zoning Board is required.

Mr. Platten indicated to Mrs. Friedman that Mr. Polis has an

engineer drawings covering the proposed extension of Jacksonville Road from Moreland Avenue south to Byberry Avenue which should be reviewed in connection with the drawing up of an agreement for the amount of ground needed through Mrs. Friedman's property of the Moreland Avenue end.

There was a discussion concerning the need of requiring that an incinerator be installed in the annex building immediately north of the Osborne House. A motion was made by Mr. Haigler seconded by Dr. Brooks to require the installation of an incinerator in the four-unit apartment annex building of the Osborne House. The vote on the motion was in favor: Dr. Brooks, Mr. Haigler; against: Mr. Platten, Mr. Mosetter, Mr. Hillas and Mr. Gaither. The Motion was declared defeated.

Following a discussion, Mr. Platten restated the motion of a previous meeting to adopt an ordinance to rezone property located at 118 E. Moreland Avenue, from R-Retail classification to Residential -C classification subject to the execution of an agreement granting a right-of-way for the extension of Jacksonville Road south of Moreland Avenue to Byberry Avenue. The vote on the motion, in favor: Councilman Platten, Haigler, Gaither, Hillas, and Mosetter; against: Councilman Brooks. The motion was declared approved.

ORDINANCE #343

TO REVISE THE ZONING MAP OF THE BOROUGH OF HATBORO TO PROVIDE FOR THE RECLASSIFICATION OF A PORTION OF A DISTRICT ZONED R-RETAIL TO C-RESIDENTIAL CLASSIFICATION.

The Council of the Borough of Hatboro ordains:

Section 1. The Zoning Map of the said Borough is revised to classify the parcel of ground described below as C-Residential District from the present classification of R-Retail District:

ALL THAT CERTAIN lot or piece of ground situate in the Borough of Hatboro, County of Montgomery and Commonwealth of Pennsylvania, described according to a survey and plan thereof made the 21st day of April, 1960 by Charles E. Shoemaker Reg. Prof. Engr., of Abington, Pa., as follows, to wit:

BEGINNING at a point in Moreland Avenue at the intersection of its middle line with the Eastern line of the Northeast Pennsylvania Railroad; thence by the middle of Moreland Avenue North Eighty-two degrees East Eighty-three feet more or less to a corner of land of Comly Walton; thence by the same South Two degrees fifty minutes East Two hundred ninth and four-tenths feet to a corner of land late of Joseph Brown; thence by the same and land of other South Seventy-nine degrees West One hundred ninety-six and eight-tenths feet more or less to a corner in the Easterly line of the aforesaid Railroad; thence by a curved line along the margin of said Railroad the chord of said curve bearing North Fifteen degrees fifty minutes East Three hundred thirty-two and six-tenths feet to

the place of beginning.

Section 2. Any ordinance or portion thereof inconsistent herewith is repealed to the extent of any inconsistency.

Mr. Platten introduced the subject of the improvement of Horsham Road and discussed a letter received from the Commissioners of Montgomery County dated June 22, 1960, which contained a choice of two procedures in the improvement of Horsham Road.

June 22, 1960

Knox Henderson, Esq.
530 Dekalb Street
Norristown, Penna.

Dear Knox:

In reference to the Borough road, extension of County highway, Hatboro Pike, I have been requested by Board of County Commissioners to advise the Borough Council, through you, in writing exactly what the County Commissioners will do:

First: They will immediately take over the road with the permission of the Borough Council.

However, in such event, the Borough will be required to construct the sidewalks at its own expense or by compelling landowners to pay for the same. Further, the Borough would surrender its right to \$25,000.00 County-aid from Liquid Fuel Tax Funds which has been approved by the Commissioners and is awaiting approval of Pennsylvania Highway Department.

In such event, it is necessary under the law for the County to re-advertise for bids, etc. and it would finally construct at its expense the highway and curbs probably from its allocated approved Liquid Fuel Tax Fund.

Second: The Borough will proceed under its present plan to construct the highway, curbs and sidewalks, using the said \$25,000.00 County-aid from the Liquid Fuel Tax Fund and \$12,000.00 contribution from the County which will be procured by it from its approved allotment of the Liquid Fuel Tax Fund.

It is important that no work be started until the Pennsylvania Highway Department approves both the \$25,000.00 County-aid to the Borough and the \$12,000.00 County contribution to the Borough.

In this event, Borough Council must agree that immediately upon completion it will request the County to take over the road and the Commissioners will make it a County road.

Please have the Secretary of the Borough Council certify to

the Board of County Commissioners the resolution adopted by Council concerning one of the above.

Sincerely,

Roger B. Reynolds,
County Solicitor

RBR:ls

.....
A motion was made by Mr. Hillas, seconded by Mrs. Gaither and unanimously approved by the Borough Council to adopt the following resolution accepting proposal #2 included in the above letter:
.....

RESOLUTION

RESOLVED, That the Borough of Hatboro accept proposal "Second as set forth in the letter dated June 22, 1960 from Roger B. Reynolds, Solicitor of Montgomery County to Knox Henderson, Solicitor for the Borough of Hatboro relating to the reconstruction of Horsham Road in the Borough of Hatboro,

FURTHER RESOLVED, That, upon completion of the work, the Borough requests that the Commissioners of Montgomery County take over said Horsham Road in the Borough of Hatboro as a County Road.

.....
Mr. Haigler reviewed the bid figures for the project of Horsham Road and indicated that his estimate for sidewalks was \$4,250.00. Subtracting this amount from the total bid would leave an approximate amount of \$5,000.00 of direct costs which the Borough may consider assessing to the property owners for curb and sidewalk costs. Mr. Platten pointed out that on several previous small projects we had been unsuccessful in getting approval from the state to use Fuel Tax money for curbing construction. If such is the case on this project, it may be necessary to use funds from our general fund accounts. If the use of the state funds is not available, an assessment of approximately \$5,348.00 could be made with the use of \$2,670.00 from the general funds. It was also indicated that the engineering expense of the project has not been included in the discussions to date. Mr. Hillas pointed out that if the Council adopts the second proposal, that approximately \$12,000.00 would be saved depending upon the attitude of the State Highway Department in connection with the assessment of curb costs.

After a discussion it was agreed that if the State does not approve the appropriation of the \$41,000.00, that the contract with P.S. Stauffer and Sons, Inc. should be considered cancelled. However, in order to have the State Highway Department consider our request for approval, executed copies of the contract are to be delivered to the Highway Department on June 28.

Mr. Platten reviewed the discussions during the meeting of May 9, 1960, in connection with the development of the Lucy Barnes-Garner tract. He pointed out that the 11 point resolution approved by the Council meeting of that date remains in its adopted form with the exception of a change to paragraph eight as follows: replace paragraph eight and add the following proviso "provided however, that any use authorized by the regulations applying to the retail district may be made of the Penn Street frontage if, but only if, it shall be recessed from the north side of the curb line of the Penn Street entrance by a minimum of at least 42 feet.

Messrs. Gamburg and Berlin stated that they are encountering some difficulty in effecting collections from the interested businessmen toward the development fund.

A motion was made by Mr. Hillas, seconded by Mr. Haigler to adopt the following resolution to revise paragraph eight of the resolution adopted on May 9, 1960:

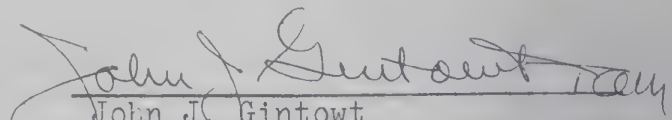
"RESOLVED, that any use authorized by the regulations applying to the Retail district may be made of Penn Street frontage if, but only if, it shall be recessed from the north side of the curb line of Penn Street entrance by a minimum of at least 42 feet."

The vote on the motion to adopt the resolution was in favor: Councilmen Platten, Haigler, Mosetter, Hillas and Brooks with Mrs. Gaither abstaining from voting.

Mr. Platten further stated that the resolution as amended will not become effective and need not be signed by the Burgess until the developers send us a lease to be signed by Penn Fruit Company with a letter indicating that the lease will be signed within five business days of receipt of a notice of the Burgess approval of the resolution.

Mr. Platten indicated that he and Mr. Hillas will meet with Messrs. Meade and Polis regarding the extending of Jacksonville Road south from Moreland Avenue to Byberry Avenue on Friday July 1. The purpose of the meeting is to discuss the details of definite location of the future road and the right-of-way in addition to parking in the rear of the Eleanor Court Apartment Buildings.

A motion was made by Dr. Brooks, seconded by Mr. Hillas and approved by the Council to adjourn, the hour being 9:55 PM.


John J. Gintowt
Secretary Pro-Tem

Hatboro, Pa.
July 11, 1960

The regular meeting of the Borough Council in the Borough of Hatboro was held in the Municipal Building on the above date.

The meeting was called to order at 8:10 P.M. by President Platten with the following present: Councilmen Mosetter, Brooks, Platten, Haigler, Gaither, Treasurer Gintowt, Street Supervisor Stauch, Burgess Williams, Police Chief Dudbridge, Building Inspector Wilcke, Engineer Haggerty, two press representatives and three residents.

The invocation was given by Burgess Williams.

The minutes of the Council meeting of June 13 and June 16 were presented for approval. Following corrections, a motion was made by Dr. Brooks, seconded by Mr. Mosetter, and approved by the Council to accept the correct minutes.

Treasurer Gintowt presented the treasurer's report and advised that the cash balance at May 31, 1960, was \$14,624.69. Income for June amounted to \$18,651.96 which included temporary borrowing in the amount of \$10,000. The balance at June 30, 1960 was \$9,360.31. Considering the payrolls to be made during the month, and bills presented for approval this evening, Treasurer Gintowt recommended that \$15,000 be borrowed. In this connection he pointed out that the borrowing, including the above \$15,000, will exceed the amount authorized in the resolution adopted at the January meeting.

A motion was made by Mr. Platten, seconded by Mr. Haigler, and approved by the Council to adopt the following resolution:

RESOLUTION

RESOLVED, That the President and the Secretary of the Borough of Hatboro, be and they are hereby authorized to borrow an amount not to exceed \$75,000.00, and to issue, execute and deliver a promissory note or notes in such amounts as, from time to time, in the opinion, signified by proper vouchers, of the President, Chairman and the Finance Committee and Treasurer are required to pay bills due or to become due, payable on demand with interest at 3% per annum and to affix the corporate seal thereto. This resolution is adopted to increase the authorized amount from \$50,000.00 to \$75,000.00 as included in a resolution dated 1-11-60.

A motion was made by Dr. Brooks, seconded by Mrs. Gaither and approved by the Council to accept the report of the Treasurer as submitted above.

Mr. Platten called to order the public hearing for an advertised change to the zoning code in connection with the establishment of front-yard areas in the Retail zone as indicated on the Zoning Map. The notice was published in the Daily Intelligencer on June 23, 1960.

Mr. Platten discussed the need for such an area and indicated that all other zones contained such a requirement in the zoning code. A letter from the Planning Commission was received and read indicating that such a change was recommended by the Commission with a further requirement that a special exception be required from the Zoning Board of Adjustment to permit parking in the front-yard area only where undue hardship exists. Burgess Williams discussed the need for such a requirement and recommended that the area be designated as 4½ feet for the entire Retail area. Mrs. Tony Wolf questioned the need of such a requirement and questioned whether it would apply to areas in front of the stores but behind the set-back area. She was advised that such a requirement would not be made. Dr. Brooks objected to setting up such a front-yard area to restrict the placing of buildings so close to the sidewalk area. Following a further discussion, President Platten indicated that the hearing was closed and the Council should take action on the matter.

A motion was made by Mrs. Gaither, seconded by Mr. Haigler to adopt the following ordinance covering an amendment to the Zoning Code to add section 1102-C to the Zoning Code which reads as follows:

Front yard--distance established for this purpose on the zoning map between the street line and the building line.

AN ORDINANCE

TO AMEND ORDINANCE NO. 283, APPROVED JUNE 7, 1955,
KNOWN AS THE HATBORO ZONING ORDINANCE OF 1955.

The vote on the motion was, in favor: Councilmen Mosetter, Platten, Haigler, and Mrs. Gaither, with Dr. Brooks abstaining from voting.

In reporting for the Public Works Committee, Dr. Brooks discussed the double lighting on York Road during the period when the new aluminum pole lighting fixtures are being installed. He advised that he had checked with the Philadelphia Electric Company and advises that the Borough is being charged for only one light on each location. He also advised that the poles and the over-head wires are to be removed within two or three weeks and the required sidewalk paving will be corrected where needed. He also advised that he had inquired concerning the approval of three-way lighting fixtures for certain intersections. He was advised by the Philadelphia Electric Company that the three-way reflectors have not been approved as standard equipment by the Company to date.

Dr. Brooks reported that he had attended a meeting of the Planning Commission where a discussion had been held concerning the possibility of having a survey of the Borough conducted by the County Planning Commission using Federal and State funds in addition to Borough funds. He pointed out that the cost of

the comprehensive survey and report will be distributed as follows:

Paid by the Federal Government 50%, by the County 25%, and by the Borough 25%. The total cost to the Borough will be approximately \$3,500. and it would require approximately two years to have the work completed. The Planning Commission desires permission be granted to them by the Borough Council to proceed to apply for such a project using Federal and County funds. A motion was made by Dr. Brooks, seconded, by Mr. Mosetter to express the interest of the Borough Council in the above proposal and to authorize the Planning Commission to negotiate with the Montgomery County Planning Commission to form an agreement to be approved at a later date by the Borough Council for the conducting of a comprehensive survey in preparation to preparing a report and study plan for the Borough of Hatboro. The motion was unanimously approved by the Borough Council.

Dr. Brooks reported that several complaints have been received from neighbors adjacent to the Memorial Park concerning the over-night camping of campers at the park. He indicated that in order to remove this type of nuisance the Park Board should be advised that no camping will be permitted in the park unless such activity is cleared through Park Superintendant, Mr. Stauch, and that the camping is supervised by adult leaders in attendance. The Council agreed that instructions should be issued to the Park Board on the above matter.

Dr. Brooks discussed a resolution adopted at the April Council meeting at which time the effective date of a resolution adopted at the March 19, 1960 Council meeting concerning the requirement that \$500 be deposited with the Borough for each car parking space not furnished in accordance with the Zoning Code. He pointed out that on consulting with the Planning Commission they desire to have a 60-day extension to the effective date, so that they may make a further study of the conditions existing as far as parking is concerned and be able to give a qualified decision as to their recommendation in this matter.

A motion was made by Dr. Brooks, seconded by Mr. Gaither and approved by the Council to adopt the following resolution:

RESOLUTION

RESOLVED, That the effective date of the resolution adopted on March 14, 1960, concerning the deposit of \$500 for each car parking space not furnished in accordance with the Zoning Code, be set at September 12, 1960.

Mrs. Gaither reporting for the Public Health and Safety Committee advised that the reports of the Police Department, the Building Inspector and the Plumbing Inspector for the month of June are available for review.

Mrs. Gaither reported, in connection with the Police Department, that the police-desk is not covered by deskmen on a 24-hour-a-day

basis and that the Police Department is now operating at full authorized strength of eight full-time police officers. Mr. Weaks, recently retired from the Police Department, is working as a deskman with full approval of his physician.

In connection with the installation of the right-turn green arrow at York Road and Byberry Road, it was reported that the arrow has been installed and that the signs requesting that motorists yield on the right-of-way to pedestrians, although not received to date, have been placed on order. Mrs. Gaither further advised that the sign indicating "bad corner" has been installed at the intersection of Warminster Road and Moreland Road.

Mrs. Gaither discussed action taken at a previous meeting in connection with the Ivy Crest Dairy building. In reply to action taken by the Council to authorize the removal of the building by a demolition contractor, the owner of the building instructed his attorney to contact the Borough to advise that if such action is taken, he would institute suit against the Borough as he claimed the building is valued at approximately \$12,000. Mrs. Gaither presented a summary of complaints received by the Police Department in connection with the Ivy Crest Dairy Building which indicated that 24 calls have been received in the past five years. Solicitor Henderson advised that the Borough Code provides power to the Borough to remove hazardous buildings or else seek relief through "bill in equity" proceedings in the courts. He pointed out that the equity proceedings may take as much as six months. He further advised that demolition involves the risk of being legally involved in a damage suit. Mr. Henderson further advised that he had viewed the building and in his opinion it constituted a dangerous structure. He has also reviewed the list of complaints received by the Police Department which he judges causes the building to constitute a nuisance. He further recommended that in this connection a real estate appraiser be retained to judge the present value of the structure. Mr. Platten pointed out that following the equity proceedings in court, if the court decides in the Borough's favor, the owner must remove the building or face contempt of court action.

A motion was made by Mrs. Gaither, seconded by Mr. Haigler, and approved by the Council to rescind the resolution adopted at a previous meeting to authorize condemnation and removal of the building by the Borough and to instruct the Borough Solicitor to proceed with the equity proceedings in court to require the abatement of the nuisance.

Mrs. Gaither discussed the action taken by Council at a previous meeting to order removal of a tree at the southwest corner of Fulmer Avenue and Warminster Road. Mrs. Gaither advised that Mr. Stauch is securing an estimate for the removal of the tree. Mr. Platten, in discussing the action taken by Council, advised that he had checked the location and had not found as serious a hazardous condition as had previously been decided. Following a discussion it was decided to defer definite action on this item until the return of Mr. Rudolph, at a further meeting.

Mrs. Gaither reported concerning the receiving of a lease form

for the use of the Loller School Building by the Borough as a Community building. The Secretary was instructed to contact the Hatboro School district office and remind them that the Borough is definitely interested in making use of the building during the fall season.

In connection with the use of a pistol practice range on the property of the Upper Moreland-Hatboro Joint Sewer Authority, it was reported that the separate insurance policy should be written to cover possible liability and personal injury claims. The Secretary was instructed to contact our insurance agent to determine if such coverage is afforded under our present blanket liability insurance policy. If such coverage is not included, Council agreed that an expenditure of approximately \$25 could be made toward the purchase of a separate policy to cover the operation of the pistol range.

Mrs. Gaither reported that the Automobile Club of Philadelphia is honoring the Borough of Hatboro along with 14 other Municipalities in the awarding of pedestrian safety awards for the year 1959. The dinner meeting will be held on Tuesday, July 9, 1960, at which time Burgess Williams and Officer Duckworth will attend to receive the award for the Borough.

Mrs. Gaither presented a letter received from the Enterprise Fire Company in which the officers of the company asked to meet with the Public Health and Safety Committee to discuss fire prevention problems in the Borough. The Secretary was instructed to invite the officers of the fire company to attend the meeting of the Public Health and Safety Committee to be held on Wednesday evening, August 3, 1960.

Mrs. Gaither discussed the need for the preservation of the presently existing trees in the Borough. She specifically referred to Byberry Avenue between York Road and Penn Street. In this connection a motion was made by Mrs. Gaither, seconded by Mr. Platten to adopt the following resolution:

.....

RESOLUTION

RESOLVED, That no building permit be issued for the construction of any buildings on the north and south sides of Byberry Avenue between York Road and Penn Street unless the builder agrees to preserve all the trees between the house and the curb line.

.....

Mr. Platten suggested that the Borough may possibly purchase the trees and agree to maintain them as an aid to the development of Retail uses in this area. Dr. Brooks expressed his objections to the action as an infringement upon the personal rights of the property owners of the area. The vote on the motion to adopt the above resolution was, in favor: Councilmen Mosetter, Platten, Gaither, and Haigler; against: Dr. Brooks.

Mrs. Gaither discussed the appearance of the York Road shopping district as it relates to the existing signs and advertising devices. Mrs. Gaither advised that the committee recommends that a letter be sent to the Hatboro Businessmen's Association asking that they make an inspection of all signs on York Road and make recommendations to the Council for improving the appearance of the business district. Mr. Platten recommended that a similar letter be sent to Mr. Paul North, Attorney for the Hatboro Businessmen's Protective Association.

Mrs. Gaither presented for consideration by the Council, the subdivision plan of William Benner for the property located at the northeast corner of Byberry Avenue and New Street. The plan is a revised plan from that received at the previous meeting which indicates the existing buildings on the property. A letter from the Planning Commission was read in this connection recommending that the plan be approved. A motion was made by Mr. Platten seconded by Dr. Brooks and approved by the Council to approve the above subdivision plan provided that an agreement is received from Mr. Benner in recordable form providing for the construction of curb, sidewalks, and street paving between the curb line and the cartway when requested by the Borough and the same being recorded at expense of parties other than the Borough.

Mrs. Gaither indicated that the question of approving the installation of incinerators in the Madison and Osborne Houses is to be decided by the Council. Mr. Haigler advised that he had checked the proposals submitted by Mrs. Friedman and advises that the incinerator units being considered are only two times the capacity of the unit he has installed in his home. In his opinion the suggested units are not large enough nor of the proper capacity to handle the amount of rubbish to be accumulated from the apartment house units. He advised that he had checked the capacities and loads and had discussed the units with the manufacturers representative. He also advised that the units are not fired by either gas or oil and use only natural combustion for burning the rubbish. Following a further discussion, it was agreed that the approval of the Council could not be given to the units suggested and that Mrs. Friedman should be advised in accordance with Mr. Haigler's investigations.

Dr. Brooks withdrew from the meeting at this point.

Mrs. Gaither presented for approval the subdivision plan for the property of Dr. Brooks, 242 South York Road, Hatboro. Mrs. Gaither presented a letter received from the Planning Commission recommending that the subdivision plan be approved. A motion was made by Mrs. Gaither, seconded by Mr. Mosetter, and approved by the Council to indicate the approval of the subdivision plan indicated above.

Dr. Brooks re-entered the Council meeting.

Mr. Platten introduced the subject of the approval of the agreement between Messrs. Cochrane, Heidmann, Schieber, and the

Borough of Hatboro in connection with the Construction of 48 apartment units on the Schieber property on the east side of York Road north of Summit Avenue. Mr. Haigler advised that Mr. Cochrane had visited the Borough office on Saturday, July 9, and had inserted the dimensions of the swimming pool. He also advised that a notation had been made on the plans that the incinerators would be installed in accordance with Borough specifications. Mr. Haigler also pointed out that a revision had been made of the basement plans to indicate that all of the laundry facilities previously located in the basements under each stairway and entrance had been removed from the plan and had all been included in one section. This change meant that the laundry facilities, the storage facilities, the heating equipment, and the incinerator equipment would all be located in one room with only one exit. This would require that all tenants in the building bring their rubbish to the cellar incinerators for burning. Following a discussion of these changes it was agreed by Council that such changes were not in accordance with good practice and safety precautions and that the agreement could not be signed by the Council. Suggestions made by the Councilmen for a rearrangement of the basement facilities are to be transmitted to Mr. Cochrane so that the plans may be revised and resubmitted for approval.

Mrs. Gaither presented a letter from the Planning Commission recommending that action be taken by the Borough Council to straighten the property lines for the Garner-Lucy Barnes property along the rear of the Moreland Avenue properties. Following a discussion, Mr. Henderson indicated that the Borough did not have the power to make changes in these property lines. Such action would be up to the present owners of the Lucy Barnes Garner property for negotiation with each property owner.

Mrs. Gaither presented a letter received from Santerian Department Store on E. Moreland Avenue requesting permission for the installation of benches at the York Road and Moreland Avenue intersection in conjunction with bus stops. The request was referred to the Public Health and Safety Committee for consideration at the August Committee meeting. The Secretary was directed to invite a representative from Santerians to discuss the proposal.

Mr. Haigler reporting for the Highway Committee advised that the new dump truck had been received and is now in use by the Borough Maintenance Department.

Mr. Haigler reported that the ordinance under consideration covering the construction of curbs in the Borough including those on state highways is being considered by this Committee and will be presented at the next meeting.

Mr. Haigler advised that the second entrance to the Moreland Avenue parking lot on Moreland Avenue has been completed and is in due as included on the original plan.

In connection with the Horsham Road project a letter was presented from Engineer Haggerty advising that rights-of-way were

required for several pieces of ground owned by the Hathoro School District to take care of five existing low points in Horsham Road in carrying storm water from the road to the Fennypack Creek. Negotiation of these rights-of-way were referred to Mr. Haigler.

In further connection with the Horsham Road project and the grading back of the slope areas on the south sides, it was reported by Mr. Henderson that no signed agreements were needed. In this connection permission to do the work on the property should be received from the individual property owners.

Mr. Platten reporting for the Finance Committee advised that nothing new had been received in connection with the Garner-Lucy Barnes Shopping Center development proposal.

Mr. Platten reported that the comprehensive storm drainage survey being prepared for the Borough has not been received in written form to date.

Mr. Platten advised that the assessment bills for the construction of curbing on York Road at Crooked Billet Road has been prepared and delivered to the property owners by the Secretary.

Mr. Platten pointed out that Mr. Seldon Clark, a member of the Planning Commission, plans to move out of the Borough in the near future. He requested that Council members be prepared to submit names for placing a new member on the Planning Commission to take care of Mr. Clark's vacancy.

Mr. Platten discussed financial aid from the County for the reconstruction of Horsham Road. He advised that since our last Council meeting the application forms prepared by the Borough and forwarded to the County Commissioners have been increased in an amount of \$4,000 by the County officials without consulting with the Borough. This addition brings the total contribution of State Fuel Tax funds distributed through the County to the Borough to \$41,000. Mr. Platten further advised that the contracts have been received from the state with the required approval and that applications for the use of County and State funds have also been received and properly approved. It appears that the work is about to proceed and the ground should be broken on the job later this week.

Mr. Haigler reported that a storm drain running from Jacksonville Road through to Oakdale Avenue north of Meadowbrook Avenue is in need of repair or replacement. A large portion of the metal pipe has rusted and does not permit the flow of storm water through the proper channels. It was agreed by Council that the Maintenance Department would make needed repairs to the storm sewer installation, originally constructed by the Borough.

Mr. Platten raised a question concerning the meeting date of the August Council meeting. He suggested that the meeting be moved to August 15, the third Monday of August. A motion was made by Mr. Platten, seconded by Mr. Haigler and approved by the Council to

adopt the following resolution:

RESOLVED, That the regular August meeting of the
Borough Council of the Borough of Hatboro will be held
on Monday evening, August 15, 1960.

Mr. Platten discussed the receipt of the decisions from the Montgomery County courts in connection with a refusal of the Zoning Board of Adjustment to grant special exceptions to permit the operation of gasoline filling stations at the southwest corners of York Road and Montgomery Avenue, and York Road and Monument Avenue. The Montgomery County courts have reversed the decision of the Zoning Board and have granted needed variances to permit the construction and operation of gasoline stations on these intersections. He pointed out that a decision should now be considered by Council as to whether to file an appeal to the decision to the Montgomery County court or permit the court decisions to stand without appeal. Solicitor Henderson discussed in detail the reasons given by the court for their action. Mr. Platten questioned if an ordinance could be enacted to forbid any added gas stations in the Borough. Mr. Henderson pointed out that such action is possible and would probably present a stronger case against any future requests for gasoline filling stations than we had in the above two cases. Mr. Platten following a discussion requested that Council consider the matter and be prepared to make a definite decision at the August meeting.

In the same connection Dr. Brooks discussed the adoption of an ordinance to create a new zoning district which would permit the construction and operation of gasoline filling stations only within that district. A motion was made by Dr. Brooks seconded by Mr. Mosetter, and approved by the Council to adopt a resolution to create a new Zoning district classification for gasoline service stations which would permit the establishment of such classified areas as are now occupied by existing gasoline stations. It was agreed by the Council that an added change to the Zoning Code would be considered to include the requirement for the installation of incinerators and garbage disposal units in multiple dwellings.

RESOLUTION

The Council of the Borough of Hatboro hereby resolves:

1. That revisions to the Zoning Code of the Borough of Hatboro to require the installation of Garbage Disposal Units and Incinerators in all multiple dwellings and the deletion of Section # 1101-M-2 permitting gasoline filling stations, storage or public garages and automobile repair shops in the R Retail Zone, be and the same is hereby proposed.

2. That Monday August 15, 1960 at 8 P.M. be fixed as the time and Borough Hall Hatboro, as the place of a public hearing to be held on the said revisions.

3. The notice of the proposed revisions and of the time and place for the public hearing thereon be given by publication by Secretary of Notice thereof in a newspaper of general circulation in the Borough.

4. The form of the said notices shall be as follows:

ZONING NOTICE

Notice is hereby given that the Council of the Borough of Hatboro will consider at a Public Hearing and special Council meeting to be held on August 15, 1960, at 8 P.M., at the Municipal Building, 120 E. Montgomery Avenue, Hatboro, Pennsylvania, a revision of Ordinance #283, the Zoning Code of Hatboro, to eliminate section #11C1-m-2 which permits the establishment and operation of gasoline filling stations, storage or public garages and automobile repair shops in the R-Retail Zone when authorized as a special exception.

Notice is hereby given that the Council of the Borough of Hatboro will consider at a Public Hearing and Special Council meeting to be held on August 15, 1960, at 8 P.M. at the Municipal Building, 120 E. Montgomery Ave., Hatboro, Pennsylvania, a revision to Ordinance #283, the Zoning Code of Hatboro, to require the installation of Garbage Disposal Units and Incinerators in all multiple dwellings constructed in the Borough.

5. That the proposed revisions be submitted to the Planning Commission with the request that the Planning Commission submit a report to Council with respect to its opinion regarding such revisions prior to the date of the special meeting of Council at which said revisions are to be considered.

In connection with the starting of the work on Horsham road Mr. Haggerty pointed out that the contract called for commencement of the work within five days of the signing of the contract. He pointed out that there has been some delay since the contracts were executed due to the approval of the state highway Department and recommended that the official starting date be designated as July 11, 1960. Council agreed.

The following bills were presented by the Secretary and approved by the Council for payment:

<u>Vo#</u>	<u>Vendor</u>		
1155	American Pamcor, Inc.	\$	20.18
1156	American Playground Device Co.		36.27
1157	M. A. Bruder & Sons, Inc.		44.25
1158	R. D. Bitzer Co., Inc.		20.01
1159	Eric Belar		15.80

Vo.	Vendor	\$
1160	Bux-Mont Office Supply Co.	6.13
1161	Bux-Mont Office Supply Co.	6.57
1162	Jim Baner Ford, Inc.	14.15
1163	Columbia Ribbon & Carbon Mfg. Co., Inc.	1.95
1164	Delaware Valley Concrete Co., Inc.	51.63
1165	Earle Haggerty	150.00
1166	Mr. Knox Henderson	125.00
1167	Dr. R. W. Williams	90.00
1168	Mrs. James Gaither	75.00
1169	Mr. Harry Rudolph	90.00
1170	Mr. Edmund D. Haigler	90.00
1171	Mr. Peter Platten	90.00
1172	Dr. E. I. Brooks	90.00
1173	Mr. Roger Hillas	90.00
1174	Mr. Howard Mosetter	90.00
1175	B. J. Eisenhard	130.00
1176	Gregory's Sportswear	6.38
1177	Mr. John J. Gintowt	167.50
1178	Henricks Pretzel Co.	104.40
1179	J. I. Holcomb Manufacturing Co. Inc.	15.75
1180	Heil Equipment Company of Philadelphia	4.40
1181	Hatboro Borough Authority	518.75
1182	Hatboro Borough Authority	6.90
1183	Hatboro Borough Authority	558.75
1184	Hatboro Cycle Shop	27.00
1185	The Intelligencer Co.	27.60
1186	Industrial Products Company	5.78
1187	Fred Krauskopf and Associates	31.00
1188	W. F. Keegan & Co.	24.04
1189	Lansdale Transportation Co., Inc.	7.26
1190	Alfred P. Liebold Inc.	2,609.71
1191	Martin Century Farms	26.70
1192	Martin-Witchwood Ice Cream Co., Inc.	191.60
1193	Metropolitan Bottling Company, Inc.	82.24
1194	Miller & Cornell, Inc.	16.05
1195	Mitchell & Ness	100.78
1196	Markovich Auto Parts	15.29
1197	E. S. McVaugh	13.60
1198	Miller & Cornell, Inc.	188.18
1199	Philadelphia National Bank, Hatboro Office	109.17
1200	Parking Meter Repair Service Center	76.50
1201	Philadelphia Electric Co.	13.55
1202	Philadelphia Electric Co.	907.39
1203	Powell's Electric Service	52.22
1204	Director of Internal Revenue	1,098.94
1205	Bux-Mont Office Supply Co.	11.41
1206	Upper Moreland-Hatboro Joint Sewer Auth.	14.16
1207	Bux-Mont Office Supply Co.	3.38
1208	Eureka Stone Quarry, Inc.	84.59
1209	Hatboro Cycle Shop	12.70
1210	Hatboro Hardware	6.67
1211	Hatboro Hardware	14.18
1212	Henricks Pretzel Co.	172.80

<u>Vo. #</u>	<u>Vendor</u>		
1213	Lance, Inc.	\$	99.51
1214	Suntheimer's Bakery		17.75
1215	Martin-Witchwood Ice Cream Co.		247.52
1216	Martin Century Farms		23.00
1217	Metropolitan Bottling Co., Inc.		28.50
1218	Phila. National Bank - Corporate Trust Dept.		500.00
1219	Walter L. Rothwell		277.68
1220	Robert J. Stewart		95.24
1221	Eric Belar		15.80
1222	Parnell Pharmacy		9.94
1223	Martin Century Farms		18.00
1224	Pine Run Farm Supply Co.		6.20
1225	Sinclair Refining Co.		434.73
1226	R. L. Stott Co.		10.88
1227	Smith Chevrolet Co.		18.74
1228	Rube's Service Stateion		.50
1229	Sportsman's Den		4.40
1230	Stack Sales Corp.		56.85
1231	Joseph Spiecker		13.48
1232	Superfine Fuels Co.		181.65
1233	Upper Moreland-Hatboro Joint Sewer Auth.		26.78
1234	White's Market		14.25
1235	J. Alvin Wolverton		12.25
1236	Zaritsky Bros.		9.00
1237	Accounting Adjustment		70.59
1238	Galer & Hults, Inc.		26.00
1239	M. A. Bruder & Sons, Inc.		7.20
1240	Hatboro Lumber and Fuel Co.		23.33
1241	The Intelligencer Co.		21.00
1242	Taggart's Hardware		24.65
1243	Bux-Mont Office Supply Co.		16.50
1244	Lou's Sunoco		49.00
1245	J. B. Winder, Jr.		3.00
1246	Stuart & Weingartner		32.40
1247	Marsden's Gas Service		68.00
1248	Cameron Sanitary Landfill, Inc.		122.00
1249	Bell Telephone Co.		15.96
1250	Hatboro Lions Club		75.00
1251	American Legion, Post #271		50.00
1252	Haggerty, Boucher & Hagan, Inc.		229.52
1253	Accounting Adjustment		270.18
1254	T. A. McClurken		95.90
1255	Joseph Spiecker, Mgr.		10.00
1256	T. A. McClurken, Petty Cash		55.93
1257	Bell Telephone Co.		128.43
1258	Milbury Atlantic Co.		12.91
1259	Mitchell & Ness		50.00
1260	Borough of Hatboro		2,425.56
1261	Commonwealth of Penna. S.S. Contrl Fund		1,306.53

A motion was made by Mr. Mosetter, seconded by Dr. Brooks, and approved by the Council to adjourn the meeting, the hour being 11:45 P.M.

Thomas A McClurken
Secretary

August 8, 1960

The regular meeting of the Borough Council of the Borough of Hatboro was held in the Municipal Building on the above date.

The meeting was called to order at 8:00 P.M. by President Platten with the following present: Councilmen Hillas, Brooks, Platten, Haigler, Rudolph, and Gaither, Treasurer Gintowt, Police Chief Dudbridge, Street Commissioner Stauch, Burgess Williams, Engineer Haggerty, Solicitor Henderson, two press representatives, and five residents.

The invocation was given by Burgess Williams.

Burgess Williams announced that a five-year pedestrian safety award had been presented to the Borough of Hatboro by the American Automobile Association. He advised he and Officer Duckworth had attended the dinner meeting at which the award had been presented to the Borough recognizing the fact that there has been no pedestrian fatalities in the Borough during the years 1955 to 1959. Burgess Williams congratulated Police Chief Dudbridge and his staff of officers and police women for their commendable work in connection with the above award and presented the plaque to Chief Dudbridge.

Mr. Platten asked for a review of the Council minutes of the meetings of June 27 and July 11, 1960. Following corrections, motion was made by Mr. Rudolph, seconded by Dr. Brooks and approved by the Council to accept the minutes as corrected.

Mr. Mosetter entered the meeting at this point.

Treasurer Gintowt presented the treasurers report indicating that the cash balance at June 30, 1960 was \$9,396.31. Receipts for the month of July totaled \$24,622.10 including temporary borrowing. Expenses for July amounted to \$24,104.61 leaving a bank balance on July 31, of \$9,063.80. Mr. Gintowt further indicated that the balance at August 8, 1960 is \$4,569.19 and considering the one additional payroll for the month and the invoices presented for approval and payment at this meeting, he recommended that additional borrowing be made in the amount of \$5,000.00. A motion was made by Mr. Hillas, seconded by Mrs. Gaither and approved by the Council to accept the Treasurer's report as indicated above.

Mr. Platten discussed the recent announcement in the local newspapers to the effect that the locating of a Penn Fruit supermarket in the Borough on the Lucy Barnes-Garner tract had been definitely withdrawn as a possibility for development within the Borough. Mr. Platten indicated his feeling of regret that after such a long negotiation leading up to a meeting held in the month of May at which time the proposal seemed to be near completion, that the proposal should be dropped. He further indicated that the Council and the businessmen had negotiated in good faith for several months and that the final draft of

the items of agreement had been concluded and received by the businessmen prior to the June Council meeting. Mr. Platten also indicated he still has hopes that something can be done to bring about a proper development of the area. Mr. Hillas indicated his opinion similar to Mr. Platten's and recommended that a special committee be appointed to continue negotiations toward the development of the Lucy Barnes-Garner property. The committee would consist of several Councilmen, representatives of the merchants and others involved in such developments. Following a discussion a motion was made by Mr. Hillas, seconded by Mrs. Gaither and approved by the Council to delegate the Finance Committee to meet with the businessmen and land owners of the Lucy Barnes-Garner tract to endeavor to get some rational development of the property. Dr. Williams questioned when the deadline date of August 1, 1960 was first known as the deadline for acceptance for the Penn Fruit Company of the site for a store. Mr. Platten reported that as early as August 1959 when the negotiations were started through Mr. Gamburg, various deadlines had been suggested and presented to Borough Council meetings during which the items of agreement were being worked out. Mr. Platten further indicated that as late as June 1960 when Mr. Hillas and Mr. Platten had met in Mr. Newman's office, he received the impression that shortly after the final corrections had been made to the articles of agreement on June 24, 1960, Mr. Newman still had to negotiate the final terms of the lease with Penn Fruit Company, after the Borough's final position had been determined.

Dr. Brooks reporting for the Public Works Committee advised that a committee meeting had been held on August 3, 1960 at which time representatives of many of the service and civic organizations of the Borough had been invited to discuss the possible use of the Loller School building as a community building. In this connection, Dr. Brooks advised that he had pointed out to those presented that he would propose that the Borough float a bond issue in the amount of \$20,000 to put the Loller School building in useable condition. However, this borrowing would only be done after approval of the voters in a referendum placed on the ballot in November 1960. Proration of operating costs will be decided at a later date as soon as the rooms have been assigned to the various organizations.

A motion was made by Dr. Brooks, seconded by Mr. Haigler and approved by the Council to adopt the following ordinance which is required to have the referendum placed on the November ballot for the Bond Issue:

ORDINANCE # 345

SIGNIFYING THE DESIRE OF THE COUNCIL OF THE BOROUGH OF HATBORO TO MAKE AN INCREASE IN THE DEBT OF THE BOROUGH IN THE SUM OF \$20,000 FOR THE PURPOSE OF PROVIDING FUNDS FOR AND TOWARDS THE REPAIR AND MODERNIZATION OF THE LOLLER ACADEMY BUILDING IN THE BOROUGH OF HATBORO FOR USE AS A COMMUNITY BUILDING FOR COMMUNITY PURPOSES; AND CALLING AN ELECTION.

Dr. Brooks recommended that Council also appoint a sub-committee to meet with the representatives of the organizations to work out publicity prior to the placing of the question on the November ballot. Mr. Platten indicated that the Public Works Committee along with Burgess Williams would be assigned the task of taking care of such arrangements.

Dr. Brooks presented a report of the pool activity for the period ending July 31, 1960 and reported that 705 students are enrolled in the swimming classes. He also advised that 537 blue bands have been issued to swimmers indicating that they are qualified to make full use of the pool. No exact budget report is made at this time but he indicated that memberships to date are children's 392, adults 43, and family 374.

Mr. Frank Taylor, Chairman of the Park Board questioned the Council concerning action taken by the Council at a previous meeting in connection with complaints received concerning over-night campers in the park creating a disturbance during early morning hours. Mr. Taylor indicated that a letter had been received indicating that Council had directed that in the future no over-night campers would be allowed in the park unless such permission is granted through the Park Superintendent with a further requirement that adult supervision be furnished. Mr. Taylor recommended that problems such as these would be more easily solved if taken up directly with the Park Board so that all facts may be received and considered. He also indicated that it had been standard procedure during the past few years to clear all such matters with the Park Board before taking definite action. Mr. Hillas recommended that the Park Board be authorized to settle the problem and report back to Council at the next meeting. Mr. Platten referred the problem to the Public Works Committee to work out a satisfactory solution with the Park Board.

Mr. Platten reporting for the Finance Committee indicated that the comprehensive draining survey for the Borough will probably be ready on August 15, and will be considered at a future meeting.

Mr. Platten indicated that in connection with the appointment of a successor to the position held by Seldon Clark on the Planning Commission, he had asked the other members of the Planning Commission to suggest the name of a new appointee.

Dr. Brooks reported that he had receive a telephone call concerning the filing of required reports by the Borough Auditors and the possibility of legal action against the Borough Council. Mr. Platten explained that the Auditors are responsible for completing their work and filing their reports and that any lack of compliance with the existing laws would result in legal action against the Auditors and not against the Borough Councilmen. Mr. Platten has been advised that the Auditors have completed their work and that no problems were encountered.

Mr. Haigler reporting for the Highway Committee in connection with the Horsham Road project indicated that at the start of the

Horsham Road job through traffic had been eliminated with only local traffic to use the road. However, due to through traffic paying little attention to the signs and the construction of several drainage ditches across the road it was found necessary to close the road for through traffic completely. Mr. Haigler also indicated that he has visited the project on almost every working day since the job has been commenced and has answered the majority of the complaints as far as working conditions, storm drains, and levels which have been questioned by several residents. Mr. Haigler also discussed the need of taking ground at certain places along the road where angles existed instead of curves. Mr. Haigler indicated that his committee had met on this matter and had recommended that an agreement be made with each of the property owners that in return for each square foot of ground needed, one square foot of sidewalk would be allowed at the time the assessment bills are computed. A motion was made by Mr. Haigler, seconded by Mr. Hillas and approved by the Council to approve the above basis for negotiating for small pieces of ground required in constructing the curves in the road.

Mr. Haigler also discussed the need for constructing drains for water that is flowing from springs on the south or high side of Horsham Road. It is not advisable to have the spring water flow across the surface of the highway as in the cold season it may result in icy conditions. Prices have been received from the contractor to carry these spring drains under the sidewalk and roadway to empty into the planned storm drainage system. The added storm drain at certain points will be constructed to flow into the road as flow through these pipes will only be during storm conditions. It was agreed by Council that the above extras are to be considered approved for the project.

Mr. Haigler also discussed some difficulty that has been encountered with a resident along the north side of Horsham Road concerning the relocation of a utility pole inside of the new curb line. It is evident that the pole will have to be installed as indicated despite the protest of the resident.

Mr. Haggerty pointed out that in the vicinity of Academy Road the previously arranged storm drainage layout may have to be revised slightly to take care of existing water mains and phone company conduits which have been encountered. Receipt was also noted of a letter from Mr. Aiman in connection with the property at 70 Horsham Road through which a 20 foot storm drainage right-of-way has been arranged for. Mr. Aiman's letter requested that the storm drainage pipe be carried closer to the creek so that it would not present a flow problem on the property which is now being developed with the construction of a 2-family dwelling. Mr. Haggerty advised that the splash pad has already be poured and that the head wall will have to be constructed as originally planned.

Mr. Haigler reported that his committee is giving continuing consideration to the preparation of the ordinance to regulate the construction of curbs on all Borough streets and state highways and will report on this item at the next meeting.

Mr. Haigler reported that over the past few weeks he has been making a detailed check into the type of incinerators to be installed in the Osborne and Madison Apartment Houses owned by Mrs. Friedman. After much correspondence and investigation it has been determined that the model FU-11 incinerator is adequate for the amount of rubbish to be desposited of, if the proper draft controls and adequate spark screens are included in the installation. A letter has been received from the manufacturer of the incinerators covering such items. It was agreed that permission would be granted to Mrs. Friedman to proceed with the installation of the incinerators as indicated in the manufacturers correspondence.

Mrs. Gaither reporting for the Public Safety Committee advised that the reports for the month of July for the Police Department, the Plumbing Inspector, Building Inspector, and the Assistant Health Officer are on hand and are available for review.

Mrs. Gaither reported that the annual inspection of the jail facilities of the Borough has been made by the state authorities and that a rating of 'excellent' has been received.

Mrs. Gaither reported that the insurance coverage for several of the Borough employees must be placed at a rated basis after receipt of the physical examinations and recommended that payment of the added costs be approved so that the insurance-pension plan as previously ordained can be carried out. A motion was made by Mrs. Gaither, seconded by Mr. Rudolph, and approved by the Council to indicate approval of the added costs for the insurance-pension program.

Mrs. Gaither discussed required liability insurance necessary in the operation of the police pistol range in conjunction with the Upper Moreland Police Department. It was reported by the insurance agent that a separate policy is needed at an approximate total cost of \$50 per year would be involved, to be shared equally by Upper Moreland and Hatboro. Mr. Platten advised that he had talked to the insurance agent several days ago and indicated that another look will be taken at our liability insurance coverage with the possibility that it may be included in the existing policy.

Mrs. Gaither advised that a letter had been received from the State Highway Department concerning questions raised in connection with the intersection of York Road and Fitzwatertown Road. A request had been placed with the State Highway Department to change the timing of the traffic signal to permit the flow of left turn traffic which appears to impede the progress of through traffic. Reply received from the State Highway Department indicates that the flow of turning traffic has not been found to be sufficient to warrant a change in the traffic signal operation. Another difficulty to such a change would be the existing one traffic lane for each way flow of traffic.

Mrs. Gaither discussed a request received from Santerians Department Store to approve the installation of benches at the

intersection of York Road and Moreland Avenue. These benches would be installed on the sidewalk and would probably contain a sign indicating that they are installed at the courtesy of the Santerian Store. The committee recommends that the installation of such benches be withheld at this time as there is a court case pending in connection with the installation of signs in the retail area and it may be that the advertising feature would constitute it as a sign. Mr. Henderson judges that if advertising is present it could be called a sign or advertising device. Mr. Platten recommended that the request be referred back to the Public Health and Safety Committee as a possible change in the sign ordinance may be recommended in order that the requested benches can be approved without problems.

Mrs. Gaither called attention to the fact that the proposed parking lot to be located at the rear of the new post office building at 12 N. York Road has not been arranged for to date. This problem was referred to Mr. Platten who will contact the parties involved.

Mrs. Gaither discussed an agreement which had been previously verbally agreed to concerning the installation of curbs and directional arrows in front of the Nu-Life Cleaners building owned by Meade and Wolf. Mr. Henderson advised that the proposed agreement had been forwarded to Mr. Duffy and is probably delayed due to vacations. He further indicated that the installation of curbing and directional arrows must be accomplished first before the agreement will be signed.

In connection with action taken at a previous meeting concerning the Ivy Crest Dairy building Mr. Henderson advised that the necessary papers have been filed with the court in Norristown.

Mrs. Gaither discussed action taken at a previous meeting to remove a tree at the intersection of Fulmer Avenue and Warminster Road. She advised that the committee membership is equally divided as to whether to remove the tree or to leave it standing. A motion was made by Mr. Rudolph, seconded by Mr. Platten to order removal of the tree in question. The vote on the motion was in favor: Mr. Rudolph; against: Messrs. Mosetter, Hillas, Brooks, Platten, Haigler, and Mrs. Gaither. The motion was declared defeated.

Mrs. Gaither reported that a copy of the sewer connection agreement for the little league field on Blairmill Road and County Line Road has been received. This agreement had been previously approved in principle by the Council. It was indicated that the terms of the agreement are similar to all of the other agreements approved and Council agreed that this agreement should also be approved.

Mrs. Gaither advised that the officers of the Enterprise Fire Company preferred to defer their meeting with the Public Safety Committee in connection with fire problems in Hatboro until after October 1, 1960 as all of the efforts of the fire company members are needed in making revisions to the fire house in connection with the housing of the new fire apparatus.

Mrs. Gaither recommended for the committee that definite action should be taken in connection with the adoption of a revision

of the sign section of the Zoning Code. A motion was made by Mrs. Gaither, seconded by Mr. Rudolph and approved by the Council to adopt the following resolution setting a hearing date of August 29, 1960, for consideration of the sign provisions of the Zoning Ordinance.

RESOLUTION

The Secretary was directed to write to the Businessmen's group and to the Manufacturers Association of Watboro calling attention to the proposed revisions to the sign ordinance. Copies of the revision are available in the office of the Secretary and will be distributed as needed.

Mrs. Gaither discussed the need and advisability of obtaining additional park land for development into an extension of the Borough Park. Possible acquisition of the ground along both sides of the Pennypack Creek south of Moreland Avenue was discussed. It was also pointed out that there is undeveloped land along both sides of Pennypack Creek immediately south of County Line Road to the rear of the Meadowbrook Elementary School. Further investigations on this matter will be made.

Mrs. Gaither discussed the subject of whether appeals will be filed with the court in the two gasoline station zoning cases in which the decision of the Zoning Board of Adjustment had been reversed. Further discussion of this matter and a possible decision will be made at the September 12, meeting.

Mr. Haigler in a further discussion of Horsham Road project indicated that during excavations of the York Road end, it was found that the sanitary sewer connection for the Old Mill Inn was made to the York Road sewer main and at one point the sanitary sewer pipe went directly through one of the large drain pipes. The committee recommended that the sewer storm connection for the Old Mill Inn be revised to connect into the Horsham Road sewer main in order to remove the existing pipe through the storm drain pipe. Council agreed that this work should be done.

Mr. Haigler further discussed several storm drainage problems and pointed out that the drainage from North Penn Street to Montgomery Avenue which at the present time flows toward York Road could possibly be drained east on Montgomery Avenue to Jacksonville Road. Further investigation of this possibility will be made. Mr. Haigler further reported that the conditions during heavy rain fall had been observed in front of Suntheimers Store and on West Lehman Avenue and it was found that after the venturi feature had been added to the storm connections that the capacity of the storm drain had been greatly increased. Observance of those storm drainage pipes not having properly constructed inlets, indicated that some backing up of the water occurred.

Under old business, Mr. Platten introduced the subject of the zoning change for the Kirk-Friedman property, 118 E. Moreland Avenue and the necessary agreement concerning a

right-of-way for the extension of Jacksonville Road south of Moreland Avenue. A revised copy of the agreement as submitted by Mr. Friedman was presented to the meeting and reviewed. It was noted that two paragraphs of the agreement called for a date of August 15, 1960 by which time all ordinances had to be completed, agreements signed, building plans presented, and building permits issued in order to comply with the terms of the agreement. Mr. Platten indicated that in his opinion the present form of the agreement is agreeable and contains all the conditions necessary for the purposes of the Borough.

Mr. Haigler questioned the paragraph in the agreement in which it agreed that the Borough will waive assessments to Mrs. Friedman on Jacksonville Road for curbs, sidewalks, and other charges. Mr. Haigler indicated that he did not agree to this provision and did not remember that such a clause was included in the Polis agreement. Mr. Rudolph also indicated that he did not agree that the waiving of assessments is proper. Mr. Platten assured the Council that such a clause was included in the Polis agreement which was used as a guide in preparing the Kirk-Friedman agreement. Mr. Haigler questioned, if upon issuance of the building permits for the Moreland Avenue Apartment what assurance is there that incinerators would be satisfactorily installed in the York Road Apartment Houses. Mr. Platten suggested that the withholding of the certificate of occupancy on the Moreland Avenue property would give the Borough certain power to force the complete installation of the incinerators in the York Road Apartments.

Following a discussion, a motion was made by Mr. Hillas, seconded by Mr. Platten to approve the agreement for the right-of-way for the extension of Jacksonville Road through the Kirk-Friedman property at 118 E. Moreland Avenue. There was a further discussion concerning the deadline date of August 15 for completion of all negotiations, reviews, and paper work in this matter and Mr. Platten suggested that the date be advanced to August 30, 1960 and asked that the building plans be filed prior to that date so that they can be reviewed. There was a further discussion concerning other steps to be taken as it was indicated that after the agreement has been executed, it becomes necessary for the Zoning Board of Adjustment to hold a special meeting to grant approval for the erection of multiple dwellings. After this meeting, the building plans must be filed, reviewed, and approved so that building permits can be issued. Prior to all of these steps the ordinance changing the zoning from Retail to Residential-C must be completed, advertised, and made effective.

Following a further discussion a motion was made by Dr. Brooks, seconded by Mrs. Gaither to adopt the following resolution to recall the approval of Ordinance #343 which was adopted on June 27, 1960. The vote on the motion to adopt the resolution was in favor: Councilmen Mosetter, Brooks, Rudolph, and Gaither; against: Councilmen: Hillas, Platten, and Haigler. The motion was declared approved.

RESOLUTION

RESOLVED, That the Borough Council of the Borough of Hatboro

heroby recalls Ordinance #343 which was adopted on June 27, 1960, to reclassify the property at 118 E. Moreland Avenue from R-Retail to C-Residential classification.

It should be noted that the above ordinance had not been signed by the President and Secretary nor presented to the Burgess for his signature.

In connection with the recalling of the ordinance for the zoning change, Mr. Rudolph indicated that he had not definitely decided as to the value of constructing apartment houses on Moreland Avenue. Mr. Haigler indicated his objection to the approval as he wants to see the incinerators properly installed on the North York Road Apartment properties.

Following a further discussion in which Mr. Mosetter indicated that he would desire to have more time to look over the agreement and Mr. Hillas indicated that he was in favor of passing the agreement as presented, a motion was made by Mr. Hillas, seconded by Mr. Haigler, to rescind the adoption of the above resolution which recalled the approval of Ordinance #343 thereby readopting ordinance #343 for the change in zoning classification. The vote on the motion was in favor: Councilmen Mosetter, Hillas, Platten, Haigler, and Gaither; against: Councilmen Brooks and Rudolph. The motion was declared approved.

In order to properly clarify action taken on the zoning change Mr. Platten advised that Mr. Henderson will contact Mr. Friedman to explain that the agreement submitted in connection with the right-of-way for Jacksonville Road is being held up. Mr. Henderson will further advise that Council prefers to have a date of September 15, 1960 as the date when all negotiations and building permits should be issued by. If this date is agreeable, the builder should file the building plans with the building inspector for review along with the signed copies of the agreement. After such action the zoning change ordinance will be presented to the Burgess for signature and advertising to become effective. Following this action the meeting of the Zoning Board will be held in order that a vote of approval may be granted for the erection of the multiple dwellings. Upon the completion of all of the above steps and the review and approval of the building plans by the Council, the building permits may be issued.

Mr. Rudolph brought up the subject of a request received from the Enterprise Fire Company of Hatboro for the removal of the two parking meters immediately adjacent to the Fire House driveway. The Public Health and Safety Committee recommended that such action be taken and that strict enforcement of the no parking regulations be maintained by the Police Department at all hours. Council agreed that the above meters may be removed and the usual Police action taken for enforcement.

The following bills were presented by the Secretary and approved by the Council for payment:

<u>Vo.#</u>	<u>Vendor</u>	
1262	J. F. Alexander & Co.	6.50
1263	American Playground Device Co.	5.74
1264	Arnior Business Machines Inc.	12.50
1265	Ambler Laboratories	259.30
1266	Brooks Paint Store	35.80
1267	Bell Telephone Co. of Pa.	7.00
1268	Bell Telephone Co. of Pa.	15.25
1269	Bux-Mont Office Supply Co.	41.03
1270	Bux-Mont Office Supply Co.	90.00
1271	Hatboro Hardware	.03
1272	Marsden's Gas Service	.20
1273	Bux-Mont Office Supply Co.	10.94
1274	Eric Belar	24.70
1275	C & C Supply Co. Hatboro	3.75
1276	Chain Link Fence Co. of Pa.	16.50
1277	Cameron's Sanitary Landfill, Inc.	112.00
1278	Dagstino Company	420.23
1279	Erwin Printing, Inc.	55.75
1280	W. Z. Didbridge	8.50
1281	A. C. Frattone	3.50
1282	Fidelity Cleaning Supply Co.	3.25
1283	The General Crushed Stone Co.	158.11
1284	Galer & Hults, Inc.	100.92
1285	Hatboro Electric Supply Co.	29.57
1286	Henderson Wetherill & O'Hey	16.50
1287	Henricks Pretzel Co.	274.50
1288	Knox Henderson	125.00
1289	Handsohuh	24.00
1290	Hatboro Hardware	.94
1291	Hatboro Hardware	5.48
1292	The Intelligencer Co.	32.25
1293	J. M. Jarrett	5.93
1294	Jamison & Carrell	2.40
1295	W. F. Keegan & Co.	1.32
1296	Fred Krauskopf	6.25
1297	Lance, Inc.	94.72
1298	W. H. Lear Lumber Co.	25.06
1299	La Rocca Supply Co.	88.75
1300	Hatboro Borough Authority	568.86
1301	Postmaster	20.00
1302	Hatboro Lumber & Fuel Co.	1.60
1303	Phila. National Bank, Hatboro Office	1,554.17
1304	Hatboro Hardware	1.20
1305	Lou's Sonoco Station	8.65
1306	Markovich Auto Parts	37.00
1307	Martin Century Farms	126.50
1308	Marsden's Gas Station	36.00
1309	Martin Witchwood Ice Cream Co.	544.84
1310	Miller & Cornell, Inc.	8.50
1311	Metropolitan Bottling Co. Inc.	116.35
1312	Metchell & Ness	40.00
1313	Allan F. Meade Inc.	64.00
1314	National Chemsearch Corp.	65.90
1315	Perkasie Uniform Company	478.29
1316	Phila. Electric Co.	10.00

<u>Vo. #</u>	<u>Vendor</u>		
1317	Phila. Electric Co.	\$	907.39
1318	Phila. National Bank		146.56
1319	K. H. Riesselmann		52.00
1320	Road Machinery Inc.		90.67
1321	Robert J. Stewart Frozen Foods		88.29
1322	Suntheimers Bakery		25.25
1323	Sinclair Refining Co.		211.37
1324	Sirchie Finger Print Laboratories, Inc.		7.80
1325	Taggarts Hardware		11.78
1326	Transport Clea rings		7.76
1327	Upper Moreland-Hatboro Joint Sewer Auth.		80.34
1328	Zaritsky Bros.		4.80
1329	Whites Market		13.96
1330	J. Alvin Wolverton		12.75
1331	Phila. Electric Co.		283.11
1332	Bell Telephone Co.		27.57
1333	Bell Telephone Co.		13.49
1334	Philadelphia National Bank		15,000.00

A motion was made by Mr. Hillas, seconded by Mr. Mosetter and approved by the Council to adjourn the meeting, the hour being 10:25 P.M.

Thomas A. Mc Clurken
Secretary

August 15, 1960

A public hearing conducted by the Borough Council of the Borough of Hatboro was held in the Municipal Building on the above date.

The Public Hearing was called to order at 8 P.M. by President Platten with the following present: Councilmen Platten, Haigler, Gaitler, Hillas and Brooks, Burgess Williams, Solicitor Henderson, Treasurer Gintowt, Building Inspector Wilcke, two press representatives, and eight residents.

The purpose of the Public Hearing was to consider an amendment to the Zoning Code which upon the approval of a special exception permits the operation of gasoline filling stations, storage and public garages, and automobile repair shops in the retail zone.

The Secretary read the notice of the hearing as advertised in the Daily Intelligencer on July 29 and August 5, 1960. The Secretary also advised that copies of the notice were sent to all gas station operators and owners in the Borough and pointed out that no notices were posted on any of the properties.

Prior to the opening of the hearing, Mr. Platten indicated that due to the fact that his firm represented the Atlantic Refining Company he would refrain from taking part in the discussions of the proposed amendment and also refrain from voting on the proposed ordinance. He indicated that he would conduct the meeting, preserve order, and prevent the repetition of arguments on both sides. Mr. Platten called on Council members for an expression of their opinions on this matter.

Dr. Brooks in acknowledging that he had introduced the amendment as indicated above, indicated his opinion that there are too many corners now occupied by gasoline filling stations and proposed that no further gasoline stations be established. He favors a change in the Zoning Code as only five of the prime corner are not presently occupied by gasoline stations. He also pointed out that the establishment and operation of filling stations in addition to those now operating would not enhance the welfare of the Borough.

A letter was read from the Planning Commission dated July 22, 1960, with reference to the above proposed amendment to the Zoning Code. The letter indicated that the Planning Commission doubted the legality of limiting any one particular business in the Borough. It was also pointed out in the letter that permitting gasoline filling stations in the industrial areas would not be attractive to the establishment of gasoline filling stations. Further recommendations as to minimum area, set-back lines, and the number of cars to be permitted to be parked on the lots at the service stations were cited to be considered in making a change to the Zoning Code.

Burgess Williams cited the safety factor of allowing too many approaches of crossing sidewalks and urged the Council to endeavor to protect the people of the Borough from the undue growth of

any one business to the detriment of the Borough.

Mrs. Gaither questioned if it would be legal for the Council to adopt a change to the ordinance as advertised. Solicitor Henderson indicated that some time ago the Borough of Swarthmore had endeavored to prevent the establishment of movie houses in the Borough and was upheld in court. He indicated that all were treated alike. The action would probably be upheld by the court. Mr. Baessler indicated his opinion that the establishment of one of the gas stations so near to the Hatboro theater increases the hazard to children and others in that vicinity.

Mr. Platten called on the expressions of opinion from the members of the audience in favor of the change to the Zoning Code to which there were no replies.

Mr. Platten called on the members of the audience for expressions of opinion against the enactment of the proposed amendment to the Zoning Code.

Mr. E. H. Garber, an attorney, a member of the legal staff of the Atlantic Refining Company, and speaking unofficially for the Pennsylvania State Petroleum Council and the Lawyers Committee of the New York State Petroleum Council. Mr. Garber indicated that he believed that the proposed amendment is unconstitutional. In this connection he cited the danger of local governments using their Zoning powers to protect existing businesses. He reported that he had checked the main retail area of Hatboro and had noted that several of the existing gasoline stations are in need of rebuilding in order to stay in the competitive position with the more modern stations. Such rebuilding would not be possible under the nonconforming status if the proposed amendment is enacted. He further cited a Supreme Court case decision in which it was decided that a zoning ordinance cannot be used to create a monopoly or protect existing businesses, and he believed it unwise for the local Borough government to create a possible monopoly for those gasoline stations now in operation. He cited that at the present time there are no gas stations selling Shell, Calso, Amoco, or Richfield products in the Borough of Hatboro and that the proposed amendment denied such companies from operating within the Borough unless they bought out an existing gasoline filling station location. Mr. Garber cited a model ordinance in connection with gasoline filling stations that has been promoted by the petroleum industry which requires that at least 1000 feet will be kept as a distance between gasoline stations. Even this requirement was questioned in court as such a distance is not definite in determining whether there is more or less of a hazard or detriment to the Borough. Mr. Garber also cited a Montgomery County case in which a judge said that a gasoline station does not necessarily cause more accidents nor does it effect the pedestrians safety factor to a great extent. He also cited that there is no greater hazard to school children due to the establishment of gasoline filling stations. Mr. Garber referred to studies made in the cities of Detroit and Chicago concerning the location of gasoline filling stations and cited that the results of the survey indicate the accident rates are lower at gasoline station entrances than at driveways for private homes. He also indicated that the survey shows that there are fewer fires at gasoline filling stations than

at churches, schools and other retail establishments. Mr. Garber further cited the possible effect of the proposed zoning change in that it would compel residents to buy from the existing stations. It would place a premium on the value of the existing locations as they would be on a nonconforming status. He also stated that a monopoly so created by the ordinance would bring higher prices and less service from the existing stations. The improvement of the existing stations as to appearance service would also be hindered. Mr. Garber indicated that the petroleum industry intends to contest any such new ordinances that are being proposed in various localities and that his organization has been active in such activities in other locations. Mr. Garber further stated his opinion that future expensive law cases may come up and expects that such a case will come soon to Hatboro. He believes that litigation such as this is detrimental to small business men that cannot afford expensive court proceedings. He stated that the proposed amendment deprives owners of some properties of getting the highest use of their properties and is therefore in his opinion unconstitutional. He further cited a decision in the New Jersey courts in which the courts had deplored the attitude of some zoning boards who did not like the looks of the new gasoline stations being constructed. He pointed out that many of the new stations now being constructed such as the one proposed, have a favorable colonial appearance.

Mr. Haigler requested that Mr. Garber file with the Secretary the data on accidents and fire hazards as indicated in the survey referred to in the cities of Detroit and Chicago.

Dr. Brooks pointed out that in the distance between Byberry Avenue to Monument Avenue along York Road, of approximately 2050 feet there are in existence at the present time nine gasoline filling stations.

Mr. Garber pointed out that more stations would not cause more accidents but that all would not be profitable to the operators. The locations chosen are potentially profitable and the decisions to construct at these locations are based on surveys made of the metropolitan area. Dr. Brooks questioned if a gasoline station once constructed and operated proved not profitable would the gas station operator continue to operate it. Mr. Garber indicated that he did not believe that any station would be operated at a loss.

In reply to a question raised by Dr. Brooks concerning the use of zoning to control the esthetic appearance of the buildings along York Road, Mr. Garber stated that zoning powers cannot be used to control appearance of buildings or areas and cited that building codes, health codes, and similar powers delegated to Boroughs might be used as controls in this field.

Mrs. Tony Wolf questioned the inclusion in the advertisement for the hearing of the repair stations and public garages. Mr. Flatten pointed out the advertisement contains such a clause and that due to other means of regulation which can be considered, it may be advisable to continue the hearing until September 12.

A motion was made by Mrs. Gaither, seconded by Mr. Haigler to continue the public hearing for the proposed change to the Zoning

Code of the regular meeting to be held on September 12, 1960 at which time other means of controlling the establishment of gasoline stations will be considered. The vote was, in favor: Mr. Haigler and Mrs. Gaither, against Mr. Hillas, Dr. Brooks, with Mr. Platten abstaining from voting. Due to a tie vote on the above motion the Burgess was called on to cast his deciding ballot. Burgess Williams voted in favor of the motion to continue the hearing and the motion was declared carried.

The Secretary read the advertisement advising of a public hearing to be held at this meeting to consider a change to the Zoning Ordinance to require the installation of incinerators and garbage disposal units in multiple dwellings in the Borough. The Secretary advised that the notice had been published in the Daily Intelligencer on July 30 and August 5, 1960. The Secretary was directed to contact the Planning Commission to receive their recommendation on this proposed change.

Mr. Haigler explained the need for the requirements and the possible great increase of a fire hazards to the storage of rubbish in multiple dwellings. He also cited the possible increase of the volume of collection to be handled by the Borough trucks in collecting rubbish and garbage. Borough Superintendant Stauch quoted from records of the volume of rubbish collection from 1949 to 1959 in which standard loads of rubbish had increased from 386 in 1949 to 3257 loads in 1959. It was further pointed out that since 1957 garbage had been included in the above figures where previously it had been collected by a private contractor.

Mr. Platten pointed out that in the last few apartment houses that were constructed in the Borough such units were required as conditions of approval. He raised the question as to whether the requirement for the installation of such units should be included in the Zoning Code or in the Building Code.

Mr. Aiman recommended that an ordinance be adopted to require that rubbish be hauled away instead of being taken care of with incinerators. Such action would greatly reduce the fire hazard in the multiple dwelling units. Mr. Platten pointed out many of the owners of apartment houses claim that they pay Borough taxes at the same rate as other properties and therefore are entitled to the same services as all other tax payers. Mrs. Wolf cited the hazard of incinerator operation by persons not familiar with such operation of the large size incinerator as would be required in an apartment house. Mr. Haigler asked for suggestions on the control of collections by contractors in apartment houses. Enforcement problems were cited as another difficulty in such a procedure. Mr. Platten suggested that in apartment houses having 10 or less units the employment of a full time custodian is neither feasible nor a paying proposition. Apartment houses with over 10 units may be required to employ an attendant to take care of collection of rubbish and the operation of the incinerators. Dr. Brooks indicated his opinion in favor of a further study of the problem. A motion was made by Dr. Brooks, seconded by Mrs. Gaither and approved by the Council to continue

the hearing on the proposed amendment concerning incinerators and garbage disposal units to the regular meeting to be held on September 12, 1960.

Following the recession of the above public hearing by the Borough Council, President Platten called to order a special meeting of the Borough Council as requested by Dr. Brooks.

Dr. Brooks read an article from the August 1960 of the Harper's Magazine titled "America The Expendable" written by Charlton Osborne, Jr. Vice Chairman of the Fairfax County, Virginia, Park Authority. The article cited the expanding of highways, turnpikes, and future traveling facilities throughout the country in that they destroy the traditional nature of so many communities. Dr. Brooks applied the same question to the future development in Hatboro in that over the past few years there has been a great influx of multiple dwelling units to the Borough. He questioned whether Hatboro was to continue to be a community of homes or apartments. He also cited a need for a control so that development would be along the lines the majority of the residents favor. Mr. Platten in replying to the question raised, indicated that the Zoning Code represents a general plan of development for the Borough. He cited that apartment dwellings are permitted only in the residential C areas and that such use is not permitted in the Residential AA, A or B, Retail or Industrial areas in the Borough. The Zoning Code as it stands at the present time, is an expression of the will of the people and the Council as to the future development of the Borough. Zoning changes to extend the retail area had been turned down recently which indicates the will of the people and Council as to containing the retail area in its present status. Concerning the preservation of historical buildings it is evident that the proposed use of the Loller Building as a community building is a step in the proper direction. He also cited action taken previously concerning the battle monument at York Road and Monument Avenue in which he had voted in favor of maintaining the monument at its present location. Mr. Platten further recommended that each change in zoning classification be considered on its own merits depending on the location and the possible use in relation to the bordering neighborhood.

Mrs. Wolf discussed the uses in the residential C zone on the south end of York Road and objected to the operation of an insurance office with an appropriate sign which had been approved by the Zoning Code of Adjustment in the north end of the residential C zone.

Dr. Brooks in further discussing the future development of the Borough questioned if enabling laws of the Commonwealth permit the Borough to have an Art Commission. Mr. Henderson indicated that he was not familiar with any legislation which would permit such a commission to be formed by the Borough.

In connection with Mrs. Wolf's complaint concerning uses of the residential C portion of the York Road frontage, Mr. Platten recommended that she take her problem to the Zoning Board of Adjustment.

Dr. Brooks presented for discussion a copy of a letter received from the Enterprise Fire Company of Hatboro requesting permission for the installation of a Claxon Alarm to be sounded from the Police

Station on occasions when men are needed for the operation of the rescue unit. Dr. Brooks pointed out that the letter had been received from the Fire Company on August 12, 1960 after the installation had been completed by the Bell Telephone Company on August 11. Further investigation by the Secretary indicated that the original copy of the letter was supposed to have been mailed to the Borough approximately a month ago asking for the approval of the Council for the installation and the agreement of the Borough Council to pay for the cost of the leased line which would amount to approximately \$50 per year. The Secretary advised that no copy of the letter had been received a month ago and that the installation had been authorized by a letter from the Fire Company directly to the Bell Telephone Company without approval from the Borough Council.

Mrs. Gaither recommended that the request be referred to the Public Safety Committee for consideration at its next meeting. Fire Chief Aiman, present at the meeting, explained the purpose of the alarm and indicated that he would have a representative of the Fire Company attend the Public Health and Safety Committee meeting to give full information concerning the proposed installation.

Mr. Henderson reported that a final draft of the ordinance adopted at a previous meeting announcing the intention of the Borough of placing a question on the ballot for the borrowing of \$20,000 for renovation of the Loller Building had been completed and is on hand for review. Mr. Platten directed that a copy of the ordinance be sent to the Department of Internal Affairs in Harrisburg asking that they give us their approval of the borrowing question. Mr. Platten recommended that a telephone reply be received as promptly as possible so that this matter may be properly handled and forwarded to the County Election Board.

Burgess Williams advised in connection with Civil Defense activity in the Borough that Civil Defense Director, Havard Jones has requested the approval of the Borough Council in the purchase of a vehicle to be used for Civil Defense purposes. The total amount of the expenditure is to be at \$168. The vehicle will be used only for drills and Civil Defense activities and will be parked at the rear of the Municipal Building when not being used. The director has advised that he has approximately 40 persons willing to cooperate in the Civil Defense activity and believes that the purchase of the vehicle will be of great aid in developing the Civil Defense organization. Burgess Williams expressed his opinion in favor of the purchase. The question of insurance coverage was raised. It was agreed that the vehicle would be purchased in the name of the Borough and titled so in order that insurance coverage for collision and liability be included in the blanket insurance policy carried by the Borough. Mr. Platten suggested that matching funds be applied for on the purchase, that the director apply for such aid.

Mr. Haigler advised that in connection with the work being performed on Horsham Road there was some doubt when the original plans were made concerning the removal of a 42 inch tree on the north side of Horsham Road immediately west of York Road. Following a discussion of the need of removing the tree in connection with the curb construction it was agreed by Council that the recommendation of the Highway Committee would be followed in that it was found that several trees in other areas did not have to be removed

therefore this removal of the 42 inch tree could be considered as part of the contract and therefore not considered as an extra.

Mr. Haigler called attention to the operation of the State Highway Department on North York Road between Monument Avenue and Summit Avenue in the installation of a new surface between the concrete section and the curb. The Highway Department had started the job and excavated a major portion of the area and had left the job and has not returned to date. The Secretary was directed to write a letter to the Highway Department recommending that the work be completed at the earliest possible date in order that the hazard to traffic be removed as promptly as possible.

Mr. Platten announced that he had at hand copies of the comprehensive drainage survey completed by the General Industries Inc. Copies were given to all Councilmen present and the Secretary was directed to contact the engineer and obtain additional copies to be furnished to the Planning Commission, the merchants and industrial groups, school district, Joint School Authority and the water and sewer authorities. Copies were also furnished to the newspapers for their information.

A motion was made by Mr. Hillas, seconded by Dr. Brooks, and approved by the Council to adjourn the meeting, the hour being 11:05 A.M.

Thomas A. McClurken
Secretary

August 29, 1960

A public hearing was conducted by the Borough Council of the Borough of Hatboro in the Municipal Building on the above date.

The meeting was called to order at 8:30 P.M. with Mr. Haigler presiding with the following present: Councilmen Haigler, Swituph, Gaither, and Brooks, Burgess Williams, Solicitor Henderson, Building Inspector Wiloke, Treasurer Gintost, two press representatives, and four residents.

The purpose of the meeting as advertised was to consider a complete amendment of Article 14 of Ordinance 283 the Zoning Code of the Borough of Hatboro relating to signs in the Borough, as recommended by the Planning Commission. The Secretary advised that the required announcement had been published in the Daily Intelligencer on August 12, 1960 and that copies of the notice had been sent to all owners and operators of retail establishments in the retail zones of Hatboro.

Mr. Haigler stated that in accordance with an announcement released in the local newspapers the hearing will be continued to September 12, 1960. He further pointed out that testimony would be received at this meeting from those persons attending.

Dr. Brooks raised a question concerning Article 1401-B-2 and Section 1402-A-4 in which requirements were listed indicating that illuminated signs in the residential district be shut off at 9 P.M. and that illuminated signs in commercial area be shut off at 10 P.M. He cited that turning out of illuminated signs in commercial areas of Hatboro would cause Hatboro's retail district to look like a very dark and dead town.

Dr. Brooks also called attention to Article 1404-H-2 in which nonconforming signs must be caused to from with the new code by a term of 7 years or when a major repair is required. In response to this question, Mr. Henderson doubted that a time limit could be placed on the nonconforming status of a sign or that it could be legally enforced. Mr. Haigler also questioned Section 1404-I in which there is a requirement that a certificate of liability insurance be furnished with the Borough by all firms constructing, erecting, or repairing signs withing the Borough. Mr. Henderson also doubted the legality of requiring such insurance and recommended that Sections H and I be removed from the proposed ordinance.

Mrs. Tony Wolf commented on the provisions which permitted only flush signs to be installed in the future and cited that all those persons installing new signs would be at a disadvantage because the existing projecting signs would have such a great advantage over the new signs. Mr. Henderson explained that legislation passed at this date could not effect those signs now legally installed and that the nonconforming projecting signs could remain as long as the owner so desired and kept them in good condition. Mr. Henderson was asked to check the legal status of the seven year cut off date on nonconforming signs so that this item may be given consideration at the meeting on September 12.

Dr. Brooks reported that after reading an article in one of the weekly newspapers concerning a general improvement to the store fronts of the town of Holidaysburg, Pennsylvania, he had written to the architect who had handled the project. He had received a reply indicating that the improvement of the store fronts had been done on a voluntary basis and that he had planned the new store fronts for many of the stores. The reply from the architect also indicated that the architect's fee for a one-day visit to Hatboro in which he would meet with members of the Council and interested businessmen would be \$100 and that the cost for an architectural sketch for each store front to be revised would cost \$25. Dr. Brooks indicated that he would propose through the public works committee report to the next Council meeting to have the Borough Council underwrite the cost of the first visit of the architect to Hatboro and to issue an invitation to the merchants to attend the meeting to hear the architect and to participate in such a voluntary program.

In connection with the hearing for the revision to the sign sections of the Zoning Ordinance, a motion was made by Dr. Brooks, seconded by Mr. Rudolph, and approved by the Council to continue the hearing to a date and time to be fixed at the regular Council meeting to be held on September 12, 1960.

Mrs. Friedman presented a plot plan indicating the location of her proposed 14-unit apartment dwelling for the Kirk property at 118 E. Moreland Avenue. The plan was reviewed by the Councilmen present and recommendations were made concerning the revision of the parking entrance and the location of the off-street parking for the apartment building. In response to Mrs. Friedman's question concerning the necessary procedure in granting building permits for the proposed apartment dwelling, it was explained to Mrs. Friedman that the complete set of building plans and plot plans should be filed with the Building Inspector so that they may be reviewed preparatory to issuance of the building permits. As soon as the plans are approved, the ordinance changing the zoning of the ground from Retail to Residential-C will be presented to the President of Council and the Burgess for signature, to be followed by the necessary advertising and recording in the ordinance book. As soon as the ordinance becomes effective, a special meeting of the Zoning Board of Adjustment is to be called so that the application of Mrs. Friedman for the necessary variances and special exceptions concerning the requirement lot area and permission for the multiple dwellings can be considered and granted by the Zoning Board of Adjustment. After the granting of the certificate of acceptance or variance the Building Inspector will be authorized to issue the required building permits for the apartment house.

A motion was made by Mr. Rudolph, seconded by Dr. Brooks, and approved by the Council to adjourn the meeting, the hour being 9:10 P.M.

Thomas R. McClurken

Secretary

September 12, 1960

The regular meeting of the Borough Council was held in the Municipal Building on the above date.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen Mosetter, Brooks, Platten, Haigler, Rudolph and Gaither, Burgess Williams, Treasurer Gintowt, Police Chief Dudbridge, Zoning Officer Wilcke, Solicitor Henderson, 14 residents, and 3 press representatives.

The invocation was given by Burgess Williams.

Mr. Platten announced that the public hearings conducted by Borough Council on August 29, 1960, and September 12, 1960 which were recessed are to be continued at this time.

Mr. Platten reviewed the discussions to date concerning the proposed amendment to the Zoning Code to eliminate Section 1101-M2 which permits the operation of gasoline filling stations, public garages, and automobile repair shops in the retail zoned section of the Borough, subject to the granting of a special exception by the Zoning Board of Adjustment. Dr. Brooks questioned if the proposed amendment removing such a section from the code was defensible in court. Solicitor Henderson indicated that in his opinion it appears to be the best way to approach the problem. Mrs. Gaither suggested that more stringent restriction be placed on the operation of such establishments instead of forbidding them completely. Mr. Haigler suggested that there may be strict requirements as to set back, distance from dense population areas and further requirement that a specified distance be placed between each gas filling station. Mr. Henderson indicated that all of these suggestions are only a variation of the same question and that if prohibiting is legally possible then such restriction would be legally possible. Mr. Haigler pointed out that with the adoption of the proposed amendment the existing gasoline stations would be under non-conforming status which would make it very difficult to have alterations or extensions made to the stations. Mr. Henderson indicated that it is possible that extensive restrictions in such operations may be the better approach than the complete prohibition of the establishments. Mr. Rudolph suggested that the prohibiting of gasoline filling stations may be more easily attacked by the oil companies in court. Mr. Platten called for comments from the audience concerning the amendment and there were no comments made. Mr. Haigler questioned if the proposed restrictions could be applied to the present stations when structural changes are planned. Mr. Henderson advised that the non-conforming status of the present stations protect them in most cases and pointed out a section in our Zoning Code that permits a 25 per cent expansion of a non-conforming use. Following a further discussion a motion was made by Dr. Brooks, seconded by Mr. Mosetter to adopt the following ordinance to eliminate section 1101-M2 from the Zoning Code of the Borough of Hatboro. The vote on the motion was in favor: Councilmen Mosetter, Brooks, Haigler, Rudolph and Gaither with Mr. Platten abstaining from voting.

ORDINANCE #346

TO AMEND ORDINANCE #283 APPROVED JUNE 7, 1955 KNOWN AS THE HATBORO ZONING ORDINANCE OF 1955, BY ELIMINATING THE PROVISION FOR GASOLINE FILLING STATIONS, STORAGE OR PUBLIC GARAGES AND AUTOMOBILE REPAIR SHOPS IN THE R-RETAIL DISTRICT.

Mr. Platten presented for discussion the question of whether the Borough Council intends to file an appeal to the decisions of the Montgomery County Courts in granting permission for the construction of the gasoline stations at the intersections of York Road and Montgomery Avenue and York Road and Monument Avenue as previously denied by the Zoning Board of Adjustment.

A motion was made by Mr. Haigler, seconded by Mrs. Gaither and Dr. Brooks to direct the Solicitor of the Borough to file appeals with the higher courts to appeal the decisions of the Montgomery County Courts in granting zoning permission for the construction of gasoline filling stations at the above two locations which constituted a reversal of the decisions of the Zoning Board of Adjustment in denying the special exceptions required. Mr. Rudolph questioned if in the filing of the cases whether further facts and arguments could be presented in addition to the facts presented in the Montgomery County Cases. Mr. Henderson indicated that new testimony or findings can not be permitted to be introduced in the matter. He explained that in the considering by the Zoning Board of Adjustment of an application for a special exception the burden of proof that such an exception should not be granted is placed on the Borough to show cause why the permitted use should not be granted. In discussing the taking of appeals to a higher court the question of cost was discussed. Mr. Henderson pointed out that the cost of printing the proceedings and testimony to be filed with the higher court would involve an expenditure of approximately \$400.00 for each of the two cases and the total cost for the proceedings may amount to approximately \$1,000.00. Mrs. Gaither questioned Mr. Henderson as to the chances of the Borough winning the case in the higher court to which Mr. Henderson replied that he believed that the odds were against the Borough winning although the higher courts usually sustained the decisions of local governments. Mr. Platten pointed out that when the zoning ordinance was enacted the limiting of gas stations was recognized as a need and the limiting authority was delegated to the Zoning Board in its jurisdiction over the granting of special exceptions. Mr. Haigler pointed out that many zoning codes have similar provisions and a decision such as that handed down removes such authority from the jurisdiction of the Zoning Boards of local governments. The vote on the motion to instruct the Solicitor to file appeals to the decisions of the Montgomery County Courts was as follows, in favor: Councilmen Brooks, Platten, Rudolph, Haigler and Gaither, against Councilman Mosetter.

Mr. Platten called for a continuation of the hearing conducted by the Borough Council in connection with the adoption of an amendment to the Zoning Ordinance to require garbage disposal units and incinerators in multiple dwellings. A letter was presented from the Planning Commission indicating that the question of requiring the above two facilities is an engineering problem and that the Planning Commission does not feel qualified to present a recommendation on this subject.

Mr. Haigler recommended that the requirements for incinerators be made to apply to all multiple dwellings consisting of four or more family units. He also recommended that on all new buildings a flue be required for the future installation of incinerators even though such flue may not be used at the present time. Mr. Platten expressed his opinion that a small four family unit may not have a custodian on the premises and therefore would require the residents to operate the incinerator. He indicated that it may be well to raise the number of family units for apartments to be affected. Due to the fact that there did not seem to be agreement on the number of family units in a multiple building to be covered by this ordinance, Mr. Platten recommended that the question be referred to the Public Health and Safety Committee for further discussion. Mr. Platten called for comments from the audience concerning this question to which there were no comments received. Mr. Rudolph indicated that he did not prefer to have the question referred back to his committee and preferred that the ordinance be adopted as soon as possible to hold down the increase in the rubbish collection burden in connection with the construction of multiple dwellings in the Borough. The motion was made by Mr. Rudolph, seconded by Mr. Haigler, to adopt an ordinance to require that disposal units and incinerators be required in all multiple dwellings consisting of four or more family units in the Borough. The vote on the motion was: In favor, Councilmen Haigler, Rudolph, Mrs. Gaither, Against: Councilmen Mosetter, Brooks, and Platten. There being a tie vote, the Burgess was called on to cast his vote. Burgess Williams voted in favor of the motion and the adoption of the ordinance. The motion was declared carried.

ORDINANCE

AN ORDINANCE TO AMEND ORDINANCE # 283, APPROVED JUNE 7, 1955, KNOWN AS THE ZONING CODE OF THE BOROUGH OF HATBORO, BY ADDING A NEW SECTION TO ARTICLE IV, THEREOF REQUIRING GARBAGE DISPOSAL UNITS AND INCINERATORS IN ALL MULTIPLE DWELLINGS CONSISTING OF FOUR OR MORE FAMILY UNITS.

Mr. Williams, a representative of the Sun Oil Company, present at the meeting, at this point questioned why there was a hold up of the issuance of the building permit for the construction of a gasoline filling station for the Sun Oil Company at the southwest corner of York Road and Montgomery Avenue.

Before considering the above subject, Mr. Platten indicated that a motion had been carried at the previous meeting held on August 29, 1960, providing that a date would be set to continue the hearings for an amendment to the Zoning Ordinance concerning the erection and maintenance of signs in the Borough. A motion was made by Mrs. Gaither, seconded by Mr. Haigler and approved by the Council to set the date of September 26, 1960 for a special meeting of the Borough Council to continue the hearing relating to the adoption of the revised sign provisions for the Zoning Ordinance.

The minutes of the Council meeting of August 8, 15, and 29 were presented for review. Following corrections a motion was made by Dr. Brooks, seconded by Mr. Rudolph and approved by the Council to adopt the minutes as corrected.

Treasurer Gintowt presented the Treasurer's report which indicated that the cash balance for July 31, 1960 was \$9,913.80, August income was \$40,334.76 including real estate taxes of \$33,263.21, expenses amounting to \$35,595.11 left a balance at August 31 of \$16,689.45, and the balance at this date of \$19,806.65. Mr. Gintowt further advised that a repayment of the temporary borrowing had been made in the amount of \$15,000. Mr. Gintowt pointed out further income to be expected from the tax collector. Invoices presented this evening of approximately \$38,000 can be paid as approved. A motion by Mr. Haigler, seconded by Mr. Mosetter, and approved by the Council to accept the Treasurer's report as indicated above.

Mr. William Ramsey of 221 E. Montgomery Avenue along with several neighbors presented a complaint to the Borough concerning the over flowing of the storm water drainage pipe that crosses under Montgomery Avenue and New Street. Mr. Ramsey indicated that he and his neighbors intended to fill in the storm drainage ditch thereby forcing the water to flow down Wood Street and west on Montgomery Avenue to enter the storm sewer street inlet. Mr. Platten advised that the storm sewer drainage report had been recently received and pointed out that this complaint along with many others received in the Borough would be considered in planning the first steps to be taken in the drainage improvement program. He further indicated that the extent of the work to be done on private property is questionable. Mr. Haigler questioned Solicitor Henderson concerning the diversion of natural drainage courses to which Mr. Henderson replied that "private rights" require that down-stream owners must accept water from up-stream owners and pointed out that this is a private question of law. Mr. Ramsey advised for some years this had been a dry stream except during storm times but at various intervals during the dry season there is a flow of water which appears to be industrial waste water. Mr. Platten indicated that Mr. Wilcke and Mr. Stauch would investigate his complaint concerning industrial waste water, and would report at a future meeting. Mr. Ramsey was invited to attend the next meeting of the Highway Committee at which time the drainage problem and waste problem would be discussed.

The Public Works Committee presented the resignation of Mr. Raymond Knipe as a member of the Park Board due to his moving from the Borough. A motion was made by Dr. Brooks, seconded by Mr. Mosetter and approved by the Council to accept the resignation of Mr. Raymond Knipe a member of the Park Board. The Public Works Committee presented a recommendation that in recognition of Mr. Knipe's three and one-half years of service to the Park Board that action be taken by Council to grant him permission to join the Hatboro Memorial Pool for the season of 1961 even though he will not be a resident of the Borough. Dr. Brooks pointed out that this action should not establish a precedent for any future decisions of this type. Borough Council agreed to the above recommendation.

A motion was made by Dr. Brooks, seconded by Mr. Mosetter, and approved by the Council to appoint Mr. Claire Polites, 41 Rorer Avenue, Hatboro, Pennsylvania to serve the unexpired term of Mr. Knipe as a member of the Park Board to expire December 31, 1961.

Dr. Brooks, reporting for the Public Works Committee in connection with "Operation Re-Do" presented a committee recommendation that the Borough Council appropriate \$100 to cover the cost of bringing Dr. Osborne to Hatboro to look over the retail section of the Borough and to schedule a meeting to be held by the Borough Council to be attended by the merchants to review the proposal for the possible redoing the store fronts of Hatboro. The motion was made by Dr. Brooks, seconded by Mrs. Gaither and approved by the Council to approve the expenditure of \$100 to cover the fee of Dr. Osborne for consultation and coming to Hatboro, plus reasonable traveling expenses for Dr. Osborne, with the expenditure to be charged to Budget Account No. 11-G.

Dr. Brooks announced that now that the real estate tax money is being received he is making plans for the installation of the amplifying system for the Council Room.

Dr. Brooks reported in connection with the plans for use of the Loller School Building as a Community Building, that rumors have been received that the School Board plans to demolish the building in three or four years. He advised that he had checked with the Supervising Principal of the School District. In this connection, in order to for stall the expenditure of a sum of money in excess of \$20,000 for improvements of the building which may be lost if the building is demolished, it was recommended that a term be added to the lease agreement calling for reimbursement from the School Board in the event that the building is taken back or demolished by the School District. Solicitor Henderson was instructed to check into the reason for the terms of the agreement concerning the taking back of the building and also to propose that a reimbursement cause be included in the agreement. Dr. Brooks also advised that an architect has been contacted to review renovating work to be done and he would ask that the Borough Council approve the appointment of a Loller School Building Advisory Board or Committee to be appointed by the Council to supervise the work now being planned for the building. Council agreed on this matter and suggested that names be prepared for submission at the next Council meeting.

Mr. Mosetter withdrew from the Council meeting at this time.

Mr. Haigler, reporting for the Highway Committee, advised that Estimate Number One on the Horsham Road project had been received from Engineer Haggerty covering a payment of approximately \$11,000 to the contractor. This estimate covers work completed to August 31, 1960.

Mr. Haigler reported that a list of extras has been submitted by the Engineer for the Horsham Road project which must be submitted to the State Highway Department for approval and possible addition to the appropriation to be received through the County. Mr. Haigler also pointed out that several curb cuts along the north side of Horsham Road have been questioned by residents due to location.

Mr. Haigler advised that an invoice has been received from Engineer Haggerty covering engineering fees for the Horsham Road project to August 31, 1960. He advised that approval of this invoice will be withheld until it can be reviewed by a meeting of the Highway Committee.

Mr. Haigler reviewed a proposed ordinance which would regulate the permit fees and construction of curbs on all streets in the Borough and would include state highways. This ordinance is necessary due to the Borough taking over jurisdiction on all the curbs in place of the State Highway Department. The fees for the issuance of curb permits were discussed and a recommendation that a minimum of \$5.00 for new curb jobs over 50 feet plus 10 cents per foot for those in addition to 50 foot, with a minimum of \$3.00 minimum for the first 50 feet and 6 cents additional per foot extra on the rebuilding of existing or defective curbs.

A motion was made by Mr. Haigler, seconded by Mr. Rudolph, and approved by the Council to adopt the following ordinance regulating the construction of curbing for all streets in the Borough.

ORDINANCE NO. 348

AN ORDINANCE FURTHER REGULATING THE INSTALLATION, ALTERATION, REPAIR, CUTTING, OPENING OR REMOVAL OF CURBS ON ANY STREET, HIGHWAY OR ROAD IN THE BOROUGH OF HATBORO: PROVIDING FOR THE ISSUANCE OF PERMITS THEREFOR AND THE PAYMENT OF PERMIT FEES, AND FOR PENALTIES.

Mr. Haigler presented for discussion the request of Mr. Williams of the Sun Oil Company concerning the issuance of a building permit for the construction of a gasoline filling station at the southwest corner of York Road and Montgomery Avenue. Mr. Haigler advised that several questions were raised by the committee concerning the building plans. There was a question concerning the rear wall which will show as a concrete block wall and the indicating that the rear building existing on the property would be retained for future use. Mr. Williams indicated that the rear building would probably be used for automobile inspection services. Mr. Haigler also questioned the nearness of the pump islands to the York Road sidewalk and the hazard to the safety of the pedestrians. Mr. Platten pointed out that due to the decision of the Borough Council to appeal the decisions of the Montgomery County Courts it is possible that the urgency in receiving the building permit is not now so important. Mr. Williams agreed on this point and indicated that he would advise his company concerning the decision of Council in the appealing of the cases.

Mr. Haigler presented for discussion the building plans for the Freidman Apartment at 118 E. Moreland Avenue. The plans have been revised to put the parking lot entrance on Moreland Avenue. The plans however show the three story structure on the south end of the building which would require zoning board action and approval. The grade plans also show that the doorway of the south section would have seven foot below grade excavation at the entrance. The plans also indicate that there are two flues to be constructed one for the heating boiler and one for the incinerator although the location of the boiler leaves no room for the installation of an incinerator. Mr. Haigler also pointed out that the laundry room, the boiler room,

the storage facilities and the incinerator are all served by one stairway from the upper floors of the building. Mr. Haigler recommended that the apartments be rearranged to place all fourteen apartments on two floors of the building, not using the basement for living facilities. He also recommended that the actual placement of the incinerator be indicated on the plans. Council agreed that no approval could be granted for the plans at this time.

Mr. Rudolph, reporting for the Public Health and Safety Committee, advised that the monthly reports of the Police Department, Building Inspector, Plumbing Inspector and the Assistant Health Officer have been presented and are available for review at the Borough Office.

Mr. Rudolph advised that the proposed Police Duty Manual has been practically completed and that the last call for revisions is being made so that progress can be made on printing the manual.

Mr. Rudolph presented for consideration a request from Mr. and Mrs. Gabell of Moreboro Road for the installation of wood shingles on an addition to their home. The building code forbids the use of wood shingles in the Borough of Hatboro. Mr. Rudolph reported that the building permit had been obtained by the contractor but that the building permit had indicated that asphalt shingles were to be installed. Upon inspection of the job site, Mr. Wilcke, the Building Inspector, discovered that wood shingles had been delivered to be installed at the job. At this point the work had been ordered halted by the building inspector, pending consideration by the Council. Mr. Rudolph presented a committee recommendation that an exception be made in this case in order to permit the installation of wood shingles on the newly constructed addition to the Gabell home. Dr. Brooks cited a previous case in which wood shingles had been installed in violation of the building code. Mr. Haigler recommended the use of non-combustible asphalt shingles which are constructed to give the appearance of wood shingles. Mrs. Gabell cited that their home is not located near any neighbors house, that they do not burn any trash on the premises, that they have no fireplace in their home, and that they use gas heat. Mr. Haigler pointed out the danger of setting a precedent in permitting exceptions to the code and of future trouble with many request of this nature.

A motion was made by Mr. Rudolph, seconded by Mr. Haigler, to require the contractor to comply with the building code and to install fire proof shingles on the job in question. Dr. Brooks questioned what penalty there will be exacted against the contractor. The vote on the motion was: In favor, Councilmen Haigler, Rudolph, Against: Councilmen: Brooks, Platten and Mrs. Gaither. The motion was declared lost.

There was a discussion concerning the possibility of penalizing contractors for making mis-statements in the filing of building permit applications. Mr. Haigler questioned if the Borough could refuse to issue permits only to reputable builders. It was agreed, in this instance, to require the builder to make out a new building permit showing correct information.

A motion was made by Mrs. Gaither, seconded by Dr. Brooks, to grant permission for the installation of wood shingles on the Gabell residence provided the contractor takes out a new permit and pays a second fee. The vote on the motion was: in favor: Councilmen Brooks, Platten, and Mrs. Gaither; against Councilmen Haigler and Rudolph. The motion was declared approved.

Mr. Rudolph presented for discussion the proposal to install a traffic signal at the intersection of Warminster Road and Byberry Avenue. The Secretary reported that Upper Moreland Township had been contacted in this connection and that they had agreed to pay one-half of the cost after the receipt of the usual 25 per cent County Aid. A motion was made by Mr. Rudolph, seconded by Mrs. Gaither, to direct the Secretary to file an application for the permit for the installation of a traffic signal as indicated by the survey report received from the State Highway Department. The vote on the action was: In favor, Councilmen: Brooks, Haigler, Rudolph and Gaither, against: Mr. Platten.

Mr. Rudolph reported that the Philadelphia Transportation Company requested that the bus stop now located on York Road at the south side of Williams Lane be moved to the north side of Williams Lane. Mr. Rudolph presented a committee recommendation that this change be approved by the Council. Council agreed that the change should be made.

Mr. Rudolph presented for discussion the requirement that the parking lot be constructed at the rear of the new post office building to provide at least thirty-eight parking spaces in accordance with requirements of the Zoning Code. The Secretary was directed again to send a letter to the owners and those involved concerning the requirements of the Zoning Code. Mr. Platten indicated that he had talked with the Merchants Group as to purchase of the parking lot preparatory to the Borough completing the paving at rear of the post office property and that he had urged that the Merchants Group speedily complete their agreement upon this item.

Mr. Rudolph reported that the resolution adopted several months ago which has been post-poned several times in connection with the requirement that \$500 must be deposited for each deficit parking space on new construction in the retail area will go into effect on this date. It was noted that a reply from the Planning Commission is being awaited pending further action.

A motion was made by Dr. Brooks, seconded by Mr. Rudolph, and approved by the Council to adopt the following resolution:

RESOLVED, That the effective date of the resolution adopted on March 19, 1960, concerning the deposit \$500 for each car parking space not furnished in accordance with the Zoning Code be post-poned for 60 days or the date of the regular November Council meeting.

Mr. Rudolph presented a letter from the Public Spirit asking for permission to use the Moreland Avenue parking lot for a new car and antique car show on a weekend at the end of the month of

October. This show would be conducted on a Friday and Saturday. The committee recommends that the request be denied for such a use would deny the shoppers of the Borough from the use of the parking lot and for the additional reason that the using of Borough property for commercial promotion purposes is not proper. The Council agreed to the Committee recommendations.

Mr. Rudolph questioned Mr. Henderson concerning action on the Ivy Crest Dairy Building and Mr. Henderson advised we are waiting a reply from the defendant. Mr. Wilcke was instructed to inspect the building again and issue instructions to the owner to have it boarded up. The police are also instructed to keep a close check on the building.

Mr. Henderson reported that the Mebus Case will be tried shortly after September 9, 1960. He has retained a Mr. Alfred M. Richards to check the pool plans and operation. Due to Mr. Richards not being qualified concerning hydraulics, an additional engineer must be retained. Following a discussion Council agreed that a fee of \$12.50 per hour or \$100.00 per day was reasonable.

The following bills were presented by the Secretary and approved by the Council for payment:

Vo.#	Vendor	\$
1335	Zaritsky Brothers	2.60
1336	Whites Market	19.03
1337	U.M.-Hatboro Joint Sewer Authority	40.17
1338	Suntheimers Bakery	36.25
1339	Robert J. Stewart	97.02
1340	Parnell Pharmacy	8.02
1341	Phila. Electric Company	308.72
1342	Parnell Pharmacy	1.09
1343	Miller & Cornell, Inc.	47.88
1344	Milbury Atlantic Co.	2.70
1345	Martin Century Farms	118.30
1346	Metropolitan Bottling Co., Inc.	82.50
1347	Martin Witchwood Ice Cream Co.	459.54
1348	Hatboro Lumber & Fuel Co.	4.92
1349	Hatboro Hardware	3.15
1350	John P. Devitt, Jr.	28.25
1351	Eric Belar	1.85
1352	Bell Telephone Co.	37.57
1353	Eric Belar	15.80
1354	Lance Inc.	91.60
1355	Henrick's Pretzel Co.	116.50
1356	Bux-Mont Office Supply Co.	12.94
1357	Phila. National Bank	1502.68
1358	Phila. Electric Co.	60.00
1359	Montgomery Publishing Co.	46.35
1360	Knox Henderson	125.00
1361	Bell Telephone Co.	114.35
1362	Bell Telephone Co.	16.65
1363	Miller & Cornell, Inc.	24.88
1364	Miller & Cornell, Inc.	11.69
1365	Columbia Carbon & Ribbon Mfg. Co.	3.27
1366	Hatboro Borough Authority	555.00

<u>Vo.#</u>	<u>Vendor</u>	<u>\$</u>
1367	Phila. National Bank, Trustee	418.56
1368	Phila. National Bank, Corporate Trust	5375.00
1369	Phila. National Bank	235.26
1370	General Industries, Inc.	8500.00
1371	Bux-Mont Office Supply Co.	12.80
1372	Worstall Stationery Co.	35.17
1373	Miller & Cornell Inc.	41.58
1374	Phila. National Bank	151.65
1375	Sinclair Refining Co.	458.58
1376	Alex L. Parry, Tax Collector	41.84
1377	The Intelligencer Co.	53.90
1378	Accounting adjustment	284.81
1379	Accounting adjustment	255.12
1380	Henry Muir	22.80
1381	Fred Krauskopf & Associates	4.75
1382	Jim Banas Ford, Inc.	1.96
1383	G. & W. H. Corson, Inc.	26.13
1384	Galer & Hults, Inc.	13.30
1385	The General Crushed Stone Co.	156.07
1386	Jack Hoover	10.95
1387	Erwin Printing Inc.	42.90
1388	Bell Telephone Co. of Pa.	1.89
1389	M. S. Equipment Co.	3.10
1390	James Craig	9.08
1391	Phila. Truck Equipment Inc.	9.73
1392	Keystone Hi-way Traffic Equipment Co.	240.12
1393	West Point Products Co.	15.80
1394	J. I. Holcomb Mfg. Co. Inc.	59.60
1395	Hatboro Hardware	2.46
1396	M. A. Bruder & Sons	16.90
1397	Brook's Paint Store	4.53
1398	Eureka Stone Quarry Inc.	44.24
1399	Koppers Co., Inc.	369.59
1400	P. S. Stauffer & Sons, Inc.	11057.93
1401	Markovich Auto Parts	11.52
1402	Eureka Stone Quarry Inc.	329.67
1403	Accounting adjustment	10.50
1404	Bell Telephone Co. of Pa.	137.00
1405	Camerons Sanitary Landfill, Inc.	166.00
1406	J. J. Conroy, Inc.	170.50
1407	C. & C. Supply Co.	3.09
1408	Handschuh	18.00
1409	Handschuh	15.00
1410	Jamison & Carrell	4.90
1411	Fred Krauskopf & Associates	4.50
1412	Bux-Mont Office Supply Co.	.84
1413	J. B. Winder, Jr.	3.00
1414	Stockburger Chevrolet Inc.	6.20
1415	Parking Meter Repair Service Center	78.00
1416	Perkasie Uniform Co.	5.43
1417	Phila. Electric Co.	907.39
1418	Jim Banas Ford, Inc.	34.10
1419	Smith Chevrolet Co.	26.89
1420	Lou's Sonoco Station	51.50
1421	Haggerty, Boucher & Hagan	4613.19

A motion was made by Dr. Brooks, seconded by Mr. Haigler and approved by the Council to adjourn the meeting, the hour being 12:15 A.M.

Thomas A. McElurkey

Secretary

September 26, 1960

A special meeting of the Borough Council of the Borough of Hatboro was held on the above date in the Municipal Building for the purpose of conducting a public hearing in connection with a proposed amendment to the Zoning Ordinance of the Borough of Hatboro regulating the construction and maintenance of signs in the Borough.

The meeting was called to order at 8 P.M. by President Platten with the following present, Councilmen: Hillas, Platten, Haigler and Gaither; Treasurer Gintowt; Messrs. North, Frattone, McElhone, Resendorph, Berlin, Gamburg, and Pilch; Mr. Klein of the Planning Commission; Messrs. Koehler and Chappell of the Zoning Board of Adjustment; and one press representative.

Mr. Paul North representing the Merchants of Hatboro presented a list of changes to the provision of the Zoning Code prepared by the Merchants Association. The most important recommendation was that the size of signs be permitted to equal 50 per cent of the area of wall space including window and door areas instead of 15 per cent as contained in the draft prepared by the Planning Commission. Mr. North also presented a recommendation that the size of signs in industrial areas be permitted to equal $1\frac{1}{2}$ per cent of the lot area. The requirement concerning the phrase "durable materials" was questioned and Mr. North recommended that the term "non-combustible" be used instead.

Following Mr. North's presentation of the recommendations of the Merchants Association Mr. Platten questioned if, in his opinion, the present Zoning Code deters growth in the Retail area. Mr. North indicated that in his opinion he did believe that the present Zoning Code inhibited the growth of the Retail area as the requirements often prevented businessmen from putting up signs as large as they wished. He also indicated that the Code often caused animosity between merchants and the Borough due to the size of signs permitted.

Mr. Hillas asked Mr. North if he would present his opinion concerning the new requirement that non-conforming signs be replaced with by conforming signs in a period of seven years after adoption of the new ordinance. Mr. North indicated that he was not familiar with the discussions on this item and Mr. Sam Gamburg pointed out that during the discussions of this item he had expressed an opinion that something might be done among the businessmen without including a legal requirement in the ordinance to have non-conforming projecting signs removed on a voluntary basis within a period of one or two years.

Councilman Brooks entered the meeting at this point.

Mr. McElhone, appearing before the Council as a tax payer and citizen and not a representative of Mr. Jack Cohen in his case with the Zoning Board, indicated his opinion in favor of adopting a realistic and practical sign ordinance to leave the maximum discretion with the merchants but protecting the prerogatives of the Borough Council in controlling the essential phases of sign construction.

Mr. McElhone also questioned the definition of a sign as indicated in the Zoning Code. He cited that the using of white wood face areas on buildings to inscribe lettering would not in his opinion come under the definition of a sign, as it related to safety. He also indicated

that the placing of a small plaque on the front of the building with the house number or name could also be considered as something other than a sign. He indicated that under the present regulations after the placing of the above two types of signs a request for a regular projecting sign would then be considered as a third sign on the property which violates the requirement that only one sign is permitted. Mr. McElhone also questioned the regulations prohibiting large bill boards and the painting of signs on walls as they relate to health and safety. In his opinion, the present and the proposed regulations designate that some devices are defined as signs which in his opinion they are not signs. He further pointed out that Borough Council should legislate on potential hazards which can arise in sign structures such as signs over sidewalks, the use of non-durable material and combustible materials and the method of attaching or hanging of signs. He further indicated that the size and number of signs on one property is not really related to the zoning question. Mr. McElhone suggested that adoption of the proposed sign regulations be delayed and that a review of sign regulation in other communities be made. He cited the sign ordinances of Middletown Township and Upper Moreland Township as examples of modern up-to-date sign legislation. He also indicated that the Council should retain control of constructed signs only and that signs painted on walls and over doors should not be regulated nor considered as signs under the regulations. Mr. Haigler asked for Mr. McElhone's opinion on the regulations concerning flashing signs. Mr. McElhone indicated that at intersections, they should be strictly regulated due to their creating confusion with traffic signals but that at places other than intersections they should be permitted.

Mr. Robert Berlin indicated his opinion that he approved the new regulations provided the changes recommended by the merchants are included.

Mr. Klein of the Planning Commission stated his opinion that flashing signs create a big city-broadway effect which is not conducive to the development of an attractive town. He questioned the value of flashing signs and recommended that more attractive window displays be used to attract shoppers. He cited the Rosewood Shopping Center in Warminster Township in which all signs are flush with the buildings as a good example of sign arrangement.

Mr. North suggested that the using of flashing signs be placed in the special exception class of the zoning regulations so that control may be retained by the Zoning Board. Mr. North further indicated that his group hopes to have a special consultant review the proposed regulations and prepare recommendations for better appearing signs in the Retail area.

Mr. Chappell, of the Zoning Board, questioned the recommendation of the merchants that 50 per cent of the front area be allowed to be used as a maximum sign size and cited that some buildings having 1000 square foot of frontage would be permitted to have a 500 square foot sign, which, in his opinion, was much too large.

Mr. Berlin reviewed the signs at the Rosewood Shopping Area and expressed his opinion that he favored regulations used at

the Abington Shopping Center which permits large signs to be used. As to flashing signs, Mr. Berlin indicated that he did not prefer to have signs of such type on his store. He further cited the Wollworth Store of Hatboro as having a large but not unattractive sign.

Mr. McElhone recommended that the using of a special exception for flashing signs would permit the placing of conditions on permits and using reasonable restrictions to regulate there use.

Mr. Flatten indicated that he had reviewed the proposed sign regulations and indicated that he has noted numerous revisions that he will have circulated among the councilmen for consideration. Mr. Flatten further indicated that provisions are needed in the proposed regulations to cover the Residential-D Parking District.

Mr. Flatten discussed Section 1401-3 which regulates the time limit for the removal of real estate signs. He also suggested that the use of the 50 per cent figure for the frontage might be used excluding window and door area as a compromise between the figure suggested by the Planning Commission and that suggested by the merchants. There was a discussion concerning the requiring of liability insurance during the period of erection. Mr. McElhone recommended that the erector be required to furnish a bond and be recognized as a qualified sign erector before being permitted to have a permit.

Mr. Platten announced that the hearing for the consideration of the changes in the regulations for signs in the Zoning Code is now recessed to a date to be set at the regular October Council meeting to be held on October 10, 1960.

The meeting was adjourned the hour being 9:25 P.M.

Thomas A. McClurken
Secretary

October 3, 1960

A special meeting of the Borough Council was held in the Council Room on the above date. The purpose of the meeting was to review the negotiations for the lease for the use of the Loller School Building as a community building and to conduct any other business to come before Council.

Mr. Platten reviewed the letter prepared by Dr. Brooks, which is to be sent to all the residents of the Borough concerning the placing of a question on the November 8 ballot for the approval of a bond issue to finance the work needed on the Loller School Building. Mr. Platten questioned Council concerning how many times the communications should be sent and the method of distribution. Mrs. Gaither presented a proposed draft of a letter similar to Dr. Brooks' letter to be sent to the residents concerning the proposed bond issue and the use of the Loller School Building. Mr. Rudolph explained that the letter presented by Mrs. Gaither had been prepared by him and presents practically the same facts in a different manner. Mr. Haigler pointed out that the renovating of the existing building is less costly than constructing a new building of equal size. Mr. Platten indicated that the first decision to be made is whether a letter is to be sent out at all. Mr. Rudolph pointed out unless some publicity is put out by the Borough Council explaining the proposition it is a waste of time to place the question on the ballot.

Mr. Hillas expressed his opinion in favor of sending out a communication stating facts only without indicating that Council is urging the approval of the question on the ballot. He further pointed out that the useable rooms in the school buildings of the Borough and the Council Room of the Borough Hall were not being used to the best advantage. He also indicated that many groups presently meeting in churches and schools are not planning to transfer their meeting places to the Loller School Building. He further indicated that the architect for the Hatboro School Board had claimed that expansion plans for the school system in Hatboro include the removal of the Loller School Building. Mr. Platten pointed out that the function of the operation of the Loller School Building as a community building would not be to hold large meetings but to serve as a headquarters for the many groups and organizations presently operating in the Borough. Mr. Hillas pointed out that the American Legion and Knights of Columbus groups usually, in other communities, provide their own quarters. Mrs. Gaither stated that most of the groups meeting in the Borough at the present time are out growing their meeting places due to the rapid increase in membership. Dr. Williams pointed out that the proposed use of the Loller Building is a cultural project to be a benefit to the entire community and further cited that Borough Council could appropriate funds for the purpose without the consent of the voters. In response to the question from Mr. Haigler concerning the amount of \$20,000 indicated as a possible cost of reconstruction, Mr. Platten pointed out that this figure has been set up only as a method to test the community interest

to that extent. Mr. Haigler questioned the item of \$5,000 for the installation of a community kitchen and indicated that he figures that an adequate kitchen could be installed for approximately \$1500.00. Burgess Williams pointed out that part of the cost of operating could be charged to Civil Defense Funds with a portion of it being reimbursed from state civil defense funds.

Mr. Platten pointed out that the main question and issue is to determine whether the people of Hatboro desire to have a community building or not.

Dr. Brooks cited that in the past five years Borough Council has spent a great amount of money with very little of it being of direct benefit to the back street residents. Parking lots, retail lighting improvement, drainage studies, new street light poles are examples of recent expenditures for the benefit of the York Road area. He expressed his opinion in favor of the expenditure for the Loller Building renovating as being an expenditure for the benefit of those who have not received benefit in the past. Dr. Brooks also indicated that he had checked the rumor concerning the demolition of the Loller School Building with the School Board and had been assured by the president and the members of the school board that there are no plans at the present time for the removal of the building or the expansion of school facilities in that direction. Dr. Brooks also indicated that after the Borough invests a considerable sum in the Loller Building improvements, public opinion would not permit the removal of an actively used building.

Mr. Platten returned to the question of the distribution of a letter to the residents and ask for the opinion of the Councilmen present concerning this matter. Mr. Hillas recommended that an expert be retained at an approximate cost of \$100 to get a true figure for the renovating of the building. Dr. Brooks indicated that he had accompanied an architect through the building but that exact figures had not been worked out. He pointed out that the interior condition of the building requires extensive work and favored community action on the painting and cleaning up. Concerning the exterior appearance he indicated that ten men with ladders could paint the entire outside of the building in a weekend.

Concerning the distribution of a letter to the residents, a motion was made by Mr. Haigler, seconded by Mr. Rudolph, and approved by the Council to indicate that Borough Council will underwrite the distribution of a communication to all the residents of the Borough concerning the Loller School Building Project.

Mr. Platten raised the question as to the type of communication and questioned whether Council should urge favorable action in the ballot question or merely present the advantages or draw backs of the project. Mr. Haigler indicated that borrowing for a new building for the same purpose is not favored by him.

Mr. Hillas indicated his opinion that the project is not essential and that there are other greater needs in the Borough. He further indicated that the renovating of the building at the price mentioned is no bargain. Mr. Hillas further indicated that if a consensus of the opinion from the residents is desired the facts only should be presented with no urging on the part of Council for the approval of

the question. Mr. Platten indicated that the Committee drafting the original letter tried to include only facts both for and against the proposal in order to present a clear picture of the question. Mr. Haigler indicated that the using of a \$20,000 figure may be misleading as a total cost figure for the project has not been determined to date. Mr. Platten stated that it may be well for the committee to make a new draft of the communication and include the number of rooms, size and capacity of the rooms and any other facts which would properly describe the building and its possible use. Burgess Williams indicated his opinion in favor of going ahead with the project even if the voters do not approve the bond issue. Dr. Brooks stated that he did not favor any action in spending funds which the voters may appose.

A motion was made by Mrs. Gaither, seconded by Mr. Haigler, to indicate that the communication to be sent to the residents of the Borough reflecting the desire of the Borough Council for the approval of the question on the ballot. The vote on the motion was in favor, Councilmen: Mosetter, Brooks, Platten, Haigler, Rudolph and Gaither; Against, Councilman Hillas.

In order that the communication to the residents may be revised as to the facts and style, Mr. Platten appointed a committee consisting of Dr. Brooks, Mr. Hillas and Mr. Rudolph to make the final draft of the communication. Dr. Brooks will serve as Chairman of the committee.

Mr. Rudolph indicated that the communication to the residents should be limited to one letter and urged that the local newspapers focus the attention of the residents on the question just before election time. Mr. Platten recommended that the communication be sent out by October 25, 1960.

Mr. Platten announced that Mr. Howard Solly, Treasurer of the Hatboro-Horsham Joint School Authority, is intending to move out of the Borough in the very near future and must resign as a member of the authority. The authority members prefer that the new appointee be someone qualified in financial matters and Mr. Platten suggested Mr. William Lampman, presently a member of the Hatboro Pension Fund Committee, be considered as a nominee for the position as he is presently employed in the banking field. Mr. Platten urged that the appointment be made in the next regular meeting to be held on October 10, so that the appointee may have an opportunity to work with Mr. Solly before he leaves his position.

With reference to the proposed comprehensive survey to be conducted by the Montgomery County Planning Commission for the Borough of Hatboro, Mr. Platten pointed out that he had carefully read the proposed application for the survey and believes that almost 50 per cent of the items included are unnecessary and do not apply to the Borough of Hatboro. Such things as maps, traffic plan, capital improvement program and neighborhood survey could be included as items of some value to the Borough. Mr. Platten called for an expression of opinions from the Councilmen as to the approving the application as drawn or revising it to cover a practical plan.

A further review of the application will be made and considered at the next meeting.

Mr. Platten indicated that a letter had been received from the York Road Planning Group, presently working on a plan to synchronize the traffic signals in the York Road area, to appoint the Borough Engineer to represent the Borough in considering plans to be received from the state for the project. Mr. Platten recommended that the appointment be withheld until the plans are received so that Council may be informed on the subject.

On the question concerning the changes in the storm drainage pipe on the Aiman property on the north side of Horsham Road and the use of the property on Lehman Avenue at Bank Street it was suggested that Mr. Aiman be invited to attend the meeting of the Highway Committee to be held on Friday evening October 7. Mr. William Ramsey of Montgomery Avenue was also invited to attend concerning his storm sewer problem.

Mr. Haigler reported that in connection with the construction of the Wynfair Apartments on the east side of York Road north of Summit Avenue, that due to the encountering of bed rock in preparing the footings it may be necessary to have the middle building two foot higher than the plans indicate. Mr. Platten recommended that a revised plan be submitted to the Borough for any changes in construction from the plans submitted at the time the original building permit was issued. Dr. Brooks indicated that he is opposed to the contractor going ahead with any work without Council's approval on any vital changes. Mr. Haigler agreed with Dr. Brooks on this matter. Mr. Platten directed that the contractor submit a revised plan and report any changes so that they may be considered by the Council.

The meeting was adjourned at 9:45 P.M.

Thomas A. McClurken

Secretary

October 10, 1960

The regular meeting of the Borough Council Borough of Bathoro was held in the Council Room on the above date.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen, Hillas, Mosetter, Brooks, Platten, Haigler, Rudolph and Gaither; Treasurer Gintowt; Burgess Williams; Solicitor Henderson; Superintendent Stauch; three residents and three press representatives.

Burgess Williams presented the invocation.

The minutes of the Council meetings of September 12 and September 26 were presented for review. Following corrections, a motion was made by Mrs. Gaither, seconded by Mr. Haigler, and approved by the Council to accept the minutes as corrected.

Treasurer Gintowt presented the Budget Report for the month of September and reviewed the Financial Report. He indicated that real estate taxes to date have been received the amount of \$123,639.93 with unpaid taxes of \$12,951.08. The transfer of funds from the State Highway Aid Fund in the amount of \$11,057.93 has been made to take care of the first payment on the Horsham Road Project. Mr. Gintowt further reported that the balance in the treasury at August 31 was \$16,689.45 with additional tax income the balance at this date is \$87,658.80 with repayments of temporary borrowing of \$50,000 thereby indicating the balance available at this date of \$29,083.80.

Mr. Platten indicated that due to the requirement that the Borough finance the Horsham Road Project with reimbursement to be received from the County at the completion of the job it may be necessary that additional borrowing will be required before the end of the year. Mr. Platten also reviewed the budget report and indicated that several of the income items have not come in as expected. He also indicated that under the expense section of the budget report there are several items that will not completely use of the budget appropriations. Mr. Haigler indicated that a saving was made in cost of the comprehensive drainage survey in that it cost \$8500 instead of \$10,500 mainly due to a volume of information furnished from Borough records and maintenance department. Mr. Platten indicated that additional expense items during this year over previous years were caused by additional employees in the police and maintenance departments, pension funds appropriations and additional insurance items which are required. A motion was made by Mr. Platten, seconded by Mr. Haigler, and approved by Council to accept the report of the Treasurer as indicated above.

Mr. Rudolph reporting for the Public Health and Safety Committee advised that the monthly reports of the Police Department, the Building Inspector, the Plumbing Inspector, and the Assistant Health Officer have been filed with the Committee and are available for review at the Borough office.

Mr. Rudolph presented a recommendation from the Committee that Mr. David H. Gresens be appointed to serve as a member of the Fire Police organization of the Enterprise Fire Company. A motion was made by Mr. Rudolph, seconded by Mrs. Gaither, and approved by the Council to approve the appointment of Mr. David H. Gresens to serve as a member of the Fire Police Organization.

Mr. Rudolph presented a committee recommendation that the I.T.C. Bus Stop presently located at the intersection of York Road and Lehman Avenue on the north side of the intersection be moved to the south side of the intersection. A motion was made by Mr. Rudolph, seconded by Mr. Haigler, to direct that the bus stop be moved as indicated above on the west side of York Road. The vote on the motion was in favor; Councilmen: Mosetter, Hillas, Brooks, Haigler, Gaither and Rudolph with Mr. Platten abstaining from voting.

Mr. Rudolph indicated that the Duty Manual for the Police Department is now about ready for final printing, and will be ready for the November Council Meeting.

Mr. Rudolph reported that a request has been received from Horsham Township that 25 mile per hour speed limit regulations be placed on Horsham Road between York Road and the Borough line. Such regulations would agree with the signs presently posted by Upper Moreland Township and Horsham Township.

Following a discussion a motion was made by Mr. Rudolph, seconded by Dr. Brooks, to adopt the following ordinance to limit the speed on Horsham Road from York Road to the west Borough line to 25 miles per hour with a penalty cause to indicate that the minimum penalty is \$25.00 and the maximum penalty not to exceed \$100.00. The vote on the motion was in favor: Councilmen Mosetter, Hillas, Brooks, Platten, Gaither and Rudolph, Against Mr. Haigler.

ORDINANCE NO. 351

AN ORDINANCE AMENDING ORDINANCE NO. 275 ADOPTED NOVEMBER 1, 1954 PRESCRIBING TRAFFIC AND PARKING REGULATIONS AND PROVIDING PENALTIES FOR THEIR VIOLATIONS.

Mr. Rudolph reported that a communication has been received from the Bux-Mont Taxi Cab Company requesting that a taxi cab stand be approved at 207 N. York Road in front of the State Employment Office. Mr. Haigler questioned if such spaces could be rented at a fee. Following a discussion it was agreed that no action would be taken to approve the request from the Taxi Cab Company.

Mr. Rudolph announced that the Enterprise Fire Company will stage a fire drill in connection with fire prevention week at the property located at 121 N. York Road, on Wednesday evening, October 12, at 6:30 P.M.

Mr. Rudolph reported that Chief Dudbridge has noted that during football rallies and celebrations convertible cars are being driven

through the streets of Hatboro in an overloaded condition thereby representing a great hazard to the students using such cars. Chief Dudbridge announced that he had contacted the officials of the Hatboro High School and arranged to emphasize the hazard of driving in such a manner and encourage the proper use of such cars.

Mr. Rudolph announced that his committee has placed a request with Fire Chief Aiman to work out and present to Council the recommended ordinance governing the burning of rubbish and trash in the Borough. The ordinance will also cover regulations concerning the burning down of old buildings.

Mr. Rudolph pointed out that it will be necessary at this meeting to set a new date to continue the hearings in connection with the revisions of the sign provisions of the Zoning Ordinance. Mr. Platten indicated that he expected to get copies of the city of Philadelphia Code as it relates to signs and distribute copies to the Councilmen. Following a discussion it was agreed that the date of October 31, 1960 will be set as the new hearing date to continue the recessed hearing on the proposed revision to the sign provisions to the Zoning Ordinance.

Mr. Rudolph discussed a previous agreement in connection with the installing of curbing at the New-Life Cleaners Building on South York Road. He indicated that the installation has not been completed to date. It was agreed that the Secretary would direct a letter to Mr. Meade with copies to Mr. Duffy and Mr. Henderson urging that the installation be completed as promptly as possible.

Mr. Rudolph discussed the proposal that a traffic signal be installed at the intersection of Warminster Road and Byberry Avenue. It was reported that a letter has been sent to the commissioners of Upper Moreland Township asking that written confirmation be given that they will share equally the cost of the installation after the receipt of the usual 25 per cent County Aid.

Mr. Platten indicated that a vacancy exists on the Planning Commission and that he is awaiting receipt of names of possible nominees from other members of the Planning Commission.

Mr. Platten presented for discussion the proposed comprehensive survey of the Borough to be conducted by the Montgomery County Planning Commission. The form of application which has been submitted by the Montgomery County Planning Commission listing in detail all the items to be covered and services rendered had been distributed to the Councilmen for review at a previous meeting.

Mr. Klein, chairman of the Planning Commission, indicated that the Planning Commission does not favor the expenditure by the Borough for our portion of the cost of the survey if the report is not to be put into effect by the Council. He indicated that expert advice received in the form of the report may not be agreeable to the Borough Council. Mr. Klein further indicated that the urgency of the study resulted from numerous requests for zoning changes, variances, new

zoning uses, etc. which may indicate that a complete revision of the zoning map and code may be needed. Mr. Klein further indicated that due to the lack of experience of many of the members of the Planning Commission the help of outside experts is being sought. Mr. Platten indicated that final judgment of the completed survey must be made by the Borough Council as to its value to the Borough. He further indicated that many items appear in the application that many not be needed by the Borough, such undeveloped farm ground and other non-related items. Mr. Platten indicated that a joint meeting of members of the Council and Planning Commission to review the final draft of the application will be scheduled so that a decision may be reached. Mr. Platten indicated that Dr. Brooks for the Public Works Committee, Mr. Rudolph for the Public Safety Committee, and Mr. Platten for Finance would contact Mr. Klein so that the meeting can be arranged and progress can be arranged on the proposal.

Mr. Platten indicated that Mr. Solly, a member of the Hatboro-Horsham Joint School Authority, is intending to move from the Borough shortly and therefor must resign from the authority. Mr. Platten suggested appointing Mr. William Lampmann, presently a member of the Pension Fund Committee, to replace Mr. Solly on the joint school authority. Mr. Solly has been serving as treasurer of the authority and the other authority members indicate that they would prefer to have someone with banking experience appointed as the majority of the treasurer's work is in that field. A motion was made by Mr. Platten, seconded by Mr. Haigler, and approved by the Council to appoint Mr. William Lampmann to serve as a member of the Hatboro-Horsham Joint School Authority for the unexpired term of Mr. Solly to expire on December 31, 1960.

Mr. Haigler reporting for the Horsham Road Project indicated that Estimate No. 2 has been received from the engineer indicating the approval of an additional payment of \$12,095. Council agreed that this payment should be approved.

Mr. Haigler also indicated that the curbing along Horsham Road has been broken in several places. The broken places have been reviewed by Mr. Haigler and Mr. Stauch and they have agreed that some of the breakage has been caused by the fact that Horsham Road was never completely closed off for a long enough period for the new curbing to harden. In this connection a proposal was received from the contractor that 210 feet of curbing be replaced at a cost of \$2.50 per foot with a stipulation that the contractor would pay one-half of the total cost with the Borough paying the other half. Council agreed to the above proposal.

Mr. Haigler also reported that he had signed a voucher to approve a partial payment to Engineer Hagvery for engineering services on the Horsham Road Project.

Mr. Haigler also announced that the construction of the road and curbing has been completed as to the base course and that the black top was expected to be started next week.

Mr. Haigler reported that a request had been received from Mr. Samuel Gamburg for the Borough to contribute to the cost of the improvement of the storm water drainage area at the rear of the

property recently purchased by him immediately south of the furniture store. Mr. Haigler reported that the committee recommends no action be taken on this request.

Mr. Haigler advised that in connection with the request received from Mr. Aiman concerning the lot on the south side of Lehman Avenue immediately west of Bank Street in which Mr. Aiman requested that the storm sewer pipe be extended, that the committee recommends that the Borough not contribute to the cost of the pipe may be extended by the property owner at his own expense if he cares to have the work done in order to improve the lot to permit the construction of dwellings.

In connection with the request received from Mr. Aiman concerning the property on the north side of Horsham Road, Mr. Haigler reported that the Committee had agreed to extend the storm water drainage pipe 16 feet toward the Pennypack Creek in place of constructing a head wall. Any further extension of the pipe should be done at the expense of the owner.

In response to a request received from residents in the vicinity of Wood Street and Montgomery Avenue concerning storm water drainage problems which would possibly be solved by closing up the storm drainage course along the private properties, Mr. Haigler recommended that no action be taken on this request until the comprehensive storm drainage survey is completely reviewed and decisions made as to which items are to be taken up first.

Mr. Haigler discussed the storm drain problem in the vicinity of the Smith Chevrolet Automobile Agency on York Road north of Moreland Avenue. It is believed that several of the inlets can be improved but the committee intends to observe the performance of the present inlets under storm conditions and possibly work out adjustments in the pipe sizes at a later date.

Mr. Haigler recommended that Council authorized Engineer Haggerty to supply grades for the installation of new curbing at the property of A. Groh Schneider, 431 N. York Road which is in accordance with requirements made at the time the building permit was issued. Council agreed on this item.

Dr. Brooks, reporting for the Public Works Committee, advised that the order has been placed for the installation of an amplyfing system in the Council Room. It is expected that the installation will be completed before October 14.

In connection with the Loller Building Project, Dr. Brooks reported that he had met with the School Board in further discussions and that the committee charged with the responsibility of drawing up the communication to the residents from the Council will meet shortly to prepare the final draft of the letter.

Dr. Brooks reported that he had investigated the possibility of having new trees planted along Horsham Road and had not been successful in getting trees free of charge from the Philadelphia Electric Company. However the electric company had made a tree planting survey which can be used as a guide in having the shade tree commission procure small trees which can be sold to the property owners at a nonimal cost. Dr. Brooks' committee will continue to investigate this matter

at their next meeting.

Dr. Brooks announced that in connection with the possible use of an operation "ReDo" for the Retail area of Hathboro that Dr. Milton S. Osborne of the Penn State University staff is coming to Hathboro on October 14, 1960 at 3 P.M. to review the Borough's Retail area and to address a meeting of the Council and merchants to be held at 9 P.M. that evening.

In connection with the required off-street parking for the new post office building on the east side of York Road north of Moreland Avenue, Mr. Platten indicated that the Finance Committee had met with representatives of the merchants several times and in conversations concerning this project there is still hope that merchants will arrange a proposition to make the rear ground available for a free parking lot. It is possible that this proposal may be completed in time to have parking for the Christmas season.

Solicitor Henderson reported that in connection with the preparation for the Mebus Swimming Pool Case an additional engineer had been retained to review the pool construction and operation and furnish qualified engineering opinions to the Borough in presenting there case in court.

Mr. Henderson reported that the Koehler Zoning Case in connection with the proposed Polis Apartment House on Horsham Road will be argued before the court on October 11, 1960. The first appeal on this matter was decided in the Borough's favor as to the validity of the ordinance. The second phase of the case will now be considered by the court.

In reference to the Ivy Crest Dairy Building proceedings Mr. Henderson advised that the case is now listed on the equity trial list and will be taken care of shortly.

Mr. Henderson advised that the appeals to the State Supreme Court in connection with the gasoline filling station cases, have been filed and are awaiting scheduling.

Mr. Spokas, a resident of the west side of Windsor Avenue, questioned concerning the grade of the new apartment houses being constructed on York Road. Mr. Platten explained in detail about the change of grade due to encountering bed rock in preparing the footings. Approximately one week ago this question came up and after checking with several Councilmen who had visited the project it had been decided that the south building would be allowed to be located at bed rock level and that changes in construction of the middle building would reduce the added roof height of the building to 2 feet additional instead of 6 feet as might have occurred if the structural changes had not been required. Mr. Platten explained that the compromise was agreed to in order eliminate the need for blasting through bed rock to get lower grade levels. It was indicated that blasting would have been more objectional to residents of Windsor Avenue than raising the total height of the building by 2 feet. It was also reported that the northern-most building will be 3 feet lower than the plans indicated. Mr. Spokas indicated that he preferred to have the building at the plan level as he had no objection to blasting in this area. Mr. Kirkland

objected to the procedure followed by the contractor in making his first deviation from the plans filed without getting authorization from the Borough. Dr. Brooks indicated that the contractor had been notified that no further deviation from the plans filed will be permitted without express consent of the Borough Council. Dr. Haigler pointed out that the original plan height of the building could be maintained if flat roofs were used, however, it was judged that peak roofs 2 feet higher than originally planned were much better appearing than flat roofs.

A motion was made by Dr. Brooks, seconded by Mr. Mosetter, and approved by the Council to adjourn the meeting the hour being 10:05 P.M.

Thomas A. McDevitt
Secretary

October 14, 1960

A special meeting of the Borough Council of the Borough of Hatboro was held in the Municipal Building on October 14, 1960. The purpose of the meeting was to consider the proposal to "ReDo" the store fronts in the retail area of Hatboro as submitted by Dr. Milton S. Osborne of Penn State University and to consider any other business to come before the Council.

The meeting was called to order at 9:20 P.M. by President Platten with the following present: Councilmen: Haigler, Platten, Brooks, Mosetter, Burgess Williams; Treasurer Gintowt; and Dr. Milton S. Osborne. There were also present approximately thirty-five residents and two press representatives.

Dr. Brooks, Chairman of the Public Works Committee, presented Dr. Milton S. Osborne of the Penn State University who addressed the Council and residents present concerning a possible changing of the store fronts of the retail section of the Borough. He described in detail the operation of a similar proposal for Hollidaysburg, Pennsylvania and also cited that the communities of Downingtown, Franklin and Gettysburg were interested in similar projects. Dr. Osborne explained that in accordance with a request received from a civic group in Hollidaysburg, photographs had been taken of all the establishments in the retail area of the town. These photographs had been submitted to him and he had prepared architectural sketches showing the improving of the appearance of the store fronts with the addition of paint, window boxes, wood and metal grill work and the removal of all overhanging projecting signs. The proposal had been presented to the merchants of Hollidaysburg by inviting them to a community meeting at which time the photographs of the existing store fronts and the architectural sketches of the proposed new store fronts had been mounted together for review by the property owners. The local gas company in Hollidaysburg had cooperated in taking care of Dr. Osborne's fee for preparing the architectural sketches. Dr. Osborne explained that he had reviewed the retail area of Hatboro since arriving in the Borough shortly after 3 P.M. today and had found many properties or store fronts which could be improved using the same techniques as used in Hollidaysburg.

Mr. Platten questioned concerning the locale of Hollidaysburg and Dr. Osborne explained that it was a town approximately five miles outside of Altoona, Pennsylvania in which most of the stores and dwellings had been erected approximately seventy-five years ago. Mr. Platten questioned if there had been any recapture of retail trade since the completion of the project to which Dr. Osborne indicated that many of the local residents now shop in Hollidaysburg instead of Altoona. He also cited that additional revenue is being received from visitors to the town who have come to see the project. Mr. Platten questioned if Hollidaysburg had a heavy traffic situation on its main street. Dr. Osborne explained that Route 22 the main state highway in that locality by-passed Hollidaysburg and that the street for the retail area was not a main state highway. He further explained that parking had been eliminated on the main street as off street parking has been provided on side and rear streets. The elimination of parking between the hours of 9 A.M. and 5 P.M. thereby attracted a great increase of pedestrian traffic. Dr. Osborne also indicated that several small parking lots were located along the rear areas, each of them holding approximately twenty to twenty-five cars. Dr. Osborne also explained that the majority of the working residents of Hollidays-

burg commute to Altoona which is very similar to the Hatboro situation. Dr. Osborne also explained that the success of the project was helped by local publicity given by the gas company and the local radio and television stations. In response to a question from Mr. Haigler concerning the more expensive projects, Dr. Osborne indicated that several of the merchants in addition to improving their store fronts rebuilt or enlarged the interior part of their structures. In response to a question from Mr. Berlin, Dr. Osborne explained there were no large stores in Hollidaysburg, nor did the retail merchants of Hollidaysburg draw from a large outer area which he believed presently shopped in Altoona.

Mr. Heacock questioned concerning whether the existing situation in Hatboro was very similar to the previous condition of the retail area of Hollidaysburg. Dr. Osborne explained that in Hollidaysburg almost all of the structures had been constructed probably seventy-five years ago, where as in Hatboro a good portion of the retail structures are of modern design. Dr. Osborne presented for review by the residents, photographs of the main shopping area of Hollidaysburg showing conditions before and after the project.

Following a discussion of the possibilities of certain properties in Hatboro being improved by a program similar to the Hollidaysburg project, the meeting was adjourned at 11:15 P.M.

Thomas A. McClellan
Secretary

October 31, 1960

A special meeting of the Borough Council was held in the Council Room on the above date. The purpose of the meeting was to conduct a public hearing in connection with the proposed amendment to the Zoning Code to completely revise the sign regulations and to conduct any other business to come before the Council.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen Hillas, Brooks, Platten, Haigler, Rudolph and Gaither; Treasurer Gintowt; Burgess Williams; Solicitor Henderson; Street Supervisor Stauch; Zoning Officer Wilcke; 14 residents and two press representatives.

Mr. Platten reviewed briefly the previous public hearing on this subject. He also advised that a new revised draft of the proposed change to the Zoning Ordinance had been distributed to the Councilmen, Zoning Board Members, Planning Commission Members and others interested several days ago. He pointed out that in the new draft, the formula would be related to the property frontage in computing the permissible sign area instead of to the building size, as originally indicated in the first draft. The new formula is similar to that used by the City of Philadelphia in their sign regulations. This approach to the problem appears to be more architecturally sound. Mr. Platten also indicated that an additional provision covered properties with corner lots. Another change would be to forbid roof signs and prohibit the extending of the front signs up beyond the front of the building wall.

Mr. Haigler questioned concerning the section of page 6 by indicating that a time limit should be placed on the length of time a special exception should be granted for.

Mrs. Gaither questioned the requirement in the proposed draft as "durable materials" a requirement for structural safety. Mr. Platten indicated that the structural safety factor is related to the building code and will be regulated in the provisions of that code. Mr. Rudolph questioned the yearly permit fee and suggested that the amount of the permit fee be graduated as to the size of the sign. Mr. Haigler cited that the safety inspection required of a large sign is more involved than a safety inspection of a small sign and therefore should bear a higher permit fee. Mr. Rudolph further questioned a regulation concerning the illumination of signs in the residential zone. He questioned if the restricting of illuminated signs to doctors, dentists, lawyers and clerics as being discriminatory. Mr. Platten pointed out permission for such uses to be illuminated of great emergency value and that doctors, lawyers, and ministers are often needed at various night hours. Burgess Williams recommended that some type of control be placed over signs displayed on the inside of show windows. It was agreed that zoning powers do not permit the regulation of such signs. Mr. Haigler questioned the ratio for computing the limit of sign areas with six square feet of sign area for each one foot of frontage of the property. Mr. Platten indicated that this ratio figure had been taken from the City of Philadelphia Zoning Code for the retail area very similar to the type of construction in the Hatboro Retail Area.

Mr. Paul North representing the Merchants Association of Hatboro addressed the Council concerning the comments of his association on the newest draft of the sign ordinance. Mr. Rudolph ask Mr. North if he would furnish the Council with a list of the members of the Merchants Association of Hatboro. Mr. North advised that he had been instructed by his clients not to disclose a listing of the membership but that he could advise that the officers of the association were Mr. Frattone, President, Mr. Dell, Secretary, and Mr. Meade, Treasurer. Mr. Sam Gamburg indicated that Gamburg Furniture is also a member of the association. Mr. North indicated that the membership of the association numbers fifty businessmen or organizations of the Hatboro area and that he considered it an insult to be required to furnish a list of the complete membership of the association. Mr. Platten indicated that Mr. North was at liberty to present the comments and opinions of the association concerning the proposed revision to the sign ordinance even though the information was not submitted.

Mr. North in discussing latest draft of the proposed sign regulations indicated that the major change in the new draft was the easing of the area requirements as to sign area. However, other changes such as the denial of roof signs the denial of flashing or intermintent or animated signs are still objectional provisions as far as the Merchants Association of Hatboro is concerned. Mr. North also presented the objections of the associations to Section J which regulates non-conforming signs can continue to be used. Mr. North further indicated that the evident purpose of the regulation concerning non-conforming signs is to tax out of existance such signs by requiring that a yearly permit be issued. Mr. Platten indicated that the sole purpose of Section K is for registration purposes only and is not for regulation purposes. Mr. North indicated that only one community in the state of Pennsylvania has a provision similar to Section K which places a time limit on the non-conforming sign uses and that in his opinion if this phrase is included in the ordinance the Borough would be encouraging litigation.

Mr. Stuart McElhone addressed the Council concerning the proposed changes to the sign regulations of the Zoning Code and stated that the existing ordinance is bad or a revision such as the one being considered tonight would not have been brought up. He expressed the opinion that the new revision should be in terms of the health, safety and general welfare of the community and should be consistent with the legitimate and proper business aspirations of the business community. He further stated that the new draft is much more restrictive than the first draft and even more restrictive than the existing regulations. He cited a fact that the latest draft permits six square feet of sign area for each front foot of the lot involved which appears to be less restrictive as to the size of the sign. However, a further requirement in the proposed ordinance prohibits the projecting of signs above the roof line or the top of the front wall of the building and also denies the installation of roof signs. The combination of these provisions makes the new draft much more restrictive, in his opinion. He also indicated that the new draft of the proposed ordinance is more restrictive as to non-conforming signs and pointed out the requirement for a yearly license is probably illegal. He noted that he had previously urged that a more liberal and practical ordinance be drawn up and pointed out that the latest draft is certainly

more restrictive. Mr. Haigler questioned Mr. McElhone concerning his opinion as to non-conforming signs and stated that swing and roof signs are a definite hazard during wind storms. Mr. McElhone indicated that many huge roof signs have been in existence for many years and that they apparently represent no greater hazard than old chimneys, rain gutters, and roofs which can erode at support areas.

There being no further comments from the Council or the audience Mr. Platten declared that the hearing for the proposed change to the zoning code for sign regulations is hereby concluded.

Dr. Brooks reporting in connection with the operation "ReDo" advised that sketches had been received from the architect on several new store front plans and that the Philadelphia Electric Company had been contacted as to the possibility of receiving financial aid. He had been advised by the Electric Company that no financial aid is available but that films suggesting many ways of improving the appearance and attractiveness of retail establishments is available for merchants groups to view. Dr. Brooks further reported that pictures have been taken and sketches have been received for those properties on the west side of York Road from Williams Lane to Byberry Avenue. All the buildings except the post office building would require an expenditure of not more than \$250 to carry out the suggested changes. The sketches will be forwarded to the merchants for their decision as to action. Dr. Osborne stated that the proposed changes are not the complete answer to problem but they represent a partial solution and at least a beginning.

Mr. Klein of the Planning Commission asked that copies of the prints be made available for the Planning Commission Meeting to be held on November 1, 1960. Black and white prints were furnished by Dr. Brooks for their review.

In connection with the Loller School Improvement Program, Mr. Platten advised that after talking with many residents of the Borough he had heard that the use by organizations already registered, represents a favoritism attitude to some groups with the exclusion of other groups. He indicated that Council plans to create an advisory groups or committee composed of members of all groups whether they are users of the building or not, to carry out the programmed use of the building and to make decisions as to the size of the rooms and the placing or removing of interior walls and partitions. Dr. Brooks advised that the Loller Advisory Committee would have members from all interested groups. He further indicated that a large community room is possible to be used by many groups who meet on a non-regular meeting basis. He further advised that borough funds would be used on the common areas and rooms used by many varying groups. Those rooms that are set aside for the exclusive use of one groups would be improved by the groups using the room. Mr. Haigler indicated that if the need for space is extensive, it may be necessary for groups such as the American Legion who plan to equip and improve their own room, to permit their room to be used by others. If required Mr. Platten indicated that the committee will make the initial decisions on uses and come up with a plan of development and use to be reviewed at a later date.

Mr. Platten asked Burgess Williams to swear in Dr. William Sohn, a member of the Civil Service Commission. Burgess Williams administered the oath of office and the loyalty oath to Dr. Sohn at this time.

Burgess Williams advised that he had sent letters to the local newspapers, including the Progress newspaper, concerning the constant urgings from businessmen during the past five years for the Borough Council to spend general tax funds on projects to attract business or development to the Borough. After receiving the letter the editor of the Progress newspaper had contacted the Burgess and indicated that he would not print the letter in his newspaper and could not do so as long as his newspaper was denied the legal advertising put out by the Borough advertising ordinances and similar notices.

Mr. Sam Gamburg, in commenting on the letter prepared by Burgess Williams, denied that the businessmen of Hatboro had never asked the Borough Council to spend money to bring business to the Hatboro businessmen. All of the efforts of the businessmen in past years has been to invest funds to bring new business and added tax income into Hatboro. He further urged Council to let the people vote on any plan to encourage the growth of the retail area of the Borough. He criticized Council for not permitting the various plans brought forth in past years to be placed on the ballot so that the people of the Borough could express their opinion on the questions. Mr. Haigler indicated that the borrowing proposal for the Moreland Avenue Parking Lot was placed on the ballot and had been approved by the voters. Mr. Haigler further indicated that there are legal provisions concerning the placing of questions on the ballot. Mr. Platten pointed out that no requests have been received from any of the groups to place questions on the ballot. At the time the proposal was being developed for the Garner-Lucy Barnes Property no request was received from the developing syndicate nor from the businessmen to place the question on the ballot. Mr. Platten also indicated to Mr. Gamburg that if a specific proposal is available at this time it could be arranged to have the question placed on the spring ballot. Mr. Platten, in commenting concerning the Public Relations of the Borough Council, indicated that a statement had been made in a local newspaper concerning the development of the Vick Chemical Property, which statement was not in accord with the facts as known to him. Mr. Platten stated for the record that the reason why the Vick Chemical purchased the property and held it for five years and then lost interest in the development of the project was covered in detail in the minutes of February 8, 1960. The minutes of that meeting indicated that the Borough Council agreed to the requirements and suggestions received from the Vick Chemical Company and that a motion was adopted by the Borough Council to advise the Vick Chemical Company that the provisions contained in their letter of February 1 and February 3, 1960 were accepted provided that the questions of piping the storm water to Fulmor Avenue and the construction of a joint storm water drainage system is left open and that in no event would the costs to Vick be in excess of the cost of piping their own drainage water. Mr. Platten indicated that if the recent statement to the newspaper was the result of the newspaper not checking the facts then correction should be made. If the statement was placed for other reasons then the Borough's future is doubtful. Such statements are no help to the growth of the Borough's future. He cited the obligation of all agencies to work together to tell the truth and the facts. Mr. Rudolph asked that a correction of Mr. Gamburg's statement to be made in that Council has never had a proposal to set before the people for a vote, due to lack of time, the urgency of decision, opportunity for a voters opinion has never been presented.

Mr. Platten indicated that the proposers of the Garner proposal in December of 1959 requested that the question not be placed on the ballot in the spring primary. In August 1958 the same proposal was presented to the Council for vote along with a request that the questions be left off the ballot in the next election. Mr. Platten advised Mr. Gamburg that Council would welcome a proposal from any group on any development item that could be placed before the people for their opinion and advised that arrangements could be made to place such a question on a future ballot.

Dr. Brooks discussed the various proposals for the betterment of the retail area and reviewed the condemnation of various Council members over the past few years for decisions made. Dr. Brooks indicated that he preferred to have a directive from the people before voting as a Councilman to spend Borough tax funds on specific improvement projects.

Mr. Rudolph commented on the attitude of Mr. North as to his request for the membership of the Merchants Association of Hatboro. He questioned whether the speaker actually represented a majority of all the merchants of Hatboro. Mr. Gamburg expressed his opinion that the action of the businessmen in having a representative at all Council meetings is a good step and he expressed his opinion further in favor of more meetings of representatives of businessmen and Council to solve the problems of public relations in the Borough.

The meeting was adjourned at 10 P.M.

Thomas A. McDevaney
Secretary

November 14, 1960

The regular meeting of the Borough Council of the Borough of Hatboro was held in the Municipal Building on the above date.

The meeting was called to order by President Platten at 8:10 P.M. with the following present: Councilmen Nosetter, Hillas, Brooks, Platten, Haisler, Rudolph and Gaither; Treasurer Gintowt; Burgess Williams; Engineer Haggerty; Solicitor Henderson; Police Chief Dudbridge; Street Supervisor Stauch; Building Inspector Wilcke; two press representatives and seven residents.

The invocation was given by Burgess Williams.

The minutes of the Council meetings of October 3, October 10, and October 14 were presented for review. Following corrections a motion was made by Mr. Rudolph, seconded by Dr. Brooks, and approved by the Council to accept the minutes as corrected.

Treasurer Gintowt presented a summary of the Budget Report for the month of October and indicated that the cash balance at September 30, 1960 was \$46,562.83, income for the month of October amounted to \$48,440.02. Expenses for the month totaled \$91,288.32 including the repayment of temporary borrowing leaving a balance at October 31 of \$3,714.53. Mr. Gintowt recommended that temporary borrowing in the amount of \$10,000 be approved in order to cover invoices approved at this meeting and payrolls to be paid before the next regular meeting.

A motion was made by Mr. Hillas, seconded by Mrs. Gaither, and approved by the Council to approve the Treasurer's report.

Mr. Rudolph presented the monthly reports of the Police Department, Plumbing Inspector, Building Inspector and the Assistant Health Officer.

Mr. Rudolph advised that the Duty Manual for the Police Department had been printed and distributed to all parties interested. The Manual sets out the Police positions with duties in detail. Mr. Rudolph complimented Police Chief Dudbridge and Burgess Williams for their fine work in preparing the Manual.

Mr. Rudolph reported that the probation periods for Police Officers White and O'Shea will be completed on November 15, 1960 and December 2, 1960 respectively. It was agreed by Council that permanent appointment status become effective for the above two officers at the dates mentioned.

Mr. Rudolph advised that a report had been received from the Secretary concerning a meeting held in the Court House Norristown in connection with the plan to synchronize traffic signals along York Road and Easton Road between the Philadelphia City Line and County Line Road. Further meeting of the group are scheduled for November 15 and 16. Mr. Rudolph advised the total approximate cost for the project is \$94,000 and that a concerted effort is being made to have the county pay the major share of the cost.

Concerning the court proceedings on the Ivycrest Building, Solicitor Henderson advised that the trial had been listed for the week of November 7 but had not been reached due to the lack of time. The case will again be listed for trial in January 1961.

Mr. Rudolph advised that a request had been received from the Water Authority for the approval of the installation of an additional fire hydrant on the East side of York Road north of Summit Avenue, mainly due to the construction of the new apartment house. Council agreed that the Secretary should send a letter of approval to the Water Authority indicating that the proposed hydrant be added to the list of hydrants covered by the yearly rental paid by the Borough.

Mr. Rudolph advised that a letter had been received from the Visiting Nurses Association of Eastern Montgomery County pointing out the total yearly cost for services expended in the Borough of Hatboro. The letter also asked for an increase in the appropriation in preparing the next year budget. Mr. Rudolph referred the letter to Mrs. Gaither for further investigation and report at the next meeting.

Mr. Rudolph presented for approval a sub-division plan for the Lucy Barnes-Garner Property for that portion purchased by Gamburg Furniture fronting on York Road with a frontage of approximately 47½ feet. A letter from the Planning Commission was read recommending approval of the sub-division. A motion was made by Mr. Rudolph, seconded by Mrs. Gaither, and approved by the Council to indicate approval of the sub-division plan.

Mr. Rudolph advised that a petition for a zoning change for the property at 27 E. Montgomery Avenue from Residential B to Retail had been received. The petition was read by the Secretary. Following a discussion, a motion was made by Dr. Brooks, seconded by Mr. Platten, to adopt the following resolution to indicate that a hearing would be held on the proposed change of the Zoning Map on December 12, 1960. The vote on the motion was in favor, Councilmen: Mosetter, Brooks, Platten, Rudolph, and Gaither; Against Councilmen: Haigler and Hillas.

RESOLUTION

The Council of the Borough of Hatboro hereby resolves:

1. That a revision of the Zoning Map of the Borough of Hatboro to provide for the reclassification of a portion of a district zoned B-Residential, situate at 27 E. Montgomery Avenue, to a Retail District, be and the same is hereby proposed.
2. That Monday, December 12, 1960 at 8 P.M. o'clock be fixed as the time and Borough Hall, Hatboro, as the place of a public hearing to be held on the said proposed revision.
3. That notice of the proposed revision and of the time and place for the public hearing thereon be given by publication by the Secretary of notice thereof in a newspaper of general circulation in the Borough.
4. The form of the said notice shall be as follows:

"Notice is hereby given that the Council of the Borough of Hatboro will consider at a Zoning Hearing to be held December 12, 1960, at 8 P.M., at Borough Hall, Hatboro, the following:

Application of MARY DeFURO for a change in Zoning Classification from Residential B to Retail for property at 27 E. Montgomery Avenue, Hatboro, Pennsylvania."

Copies of the proposed revision are on file in the office of the Secretary of the Borough, Borough Hall, Hatboro, where the same may be examined by any party interested.

5. That notice of the proposed revision also be given by posting upon said premises affected by the proposed change a copy of the foregoing notice at such place or places as the Zoning Officer may direct.

6. That the proposed revision be submitted to the Planning Commission in accordance with Section 1904 of the Zoning Ordinance with the request that the Planning Commission submit a report to Council with respect to its opinion regarding such revision prior to the date of the regular meeting of Council at which said revision is to be considered.

Mr. Rudolph presented for discussion and action the proposed change in the sign provisions of the Zoning Code. A motion was made by Mr. Rudolph, seconded by Mrs. Gaither, to adopt the following ordinance revising Section 14 of Ordinance No. 283, the Zoning Code of the Borough of Hatboro. Mr. Hillas questioned if additional hearings, are to be held to which Mr. Platten advised that the hearing had been concluded on October 31, 1960. Mr. Hillas also questioned if Section J which requires the removal of non-conforming signs at the end of a five year period is legal and enforceable. Solicitor Henderson advised that the question has never been tested in the Pennsylvania Courts but a similar provision has been upheld in other states provided the time limit is reasonable. Mr. Haigler questioned the right of the Borough to legislate concerning overhanging signs. Solicitor Henderson indicated that the Borough has the right to legislate and control signs which hang over sidewalks and rights-of-way. Mr. Haigler further indicated his opinion that the granting of five square feet of sign area per front foot of property appears to be excessive. He believes that two square feet would be conducive to the erection of attractive signs in the Borough. Mr. Platten explained that the provisions in the proposed draft of the ordinance were taken from the City of Philadelphia Zoning Code and that the sign area permitted is for districts similar to the York Road Commercial Area of Hatboro. Mr. Rudolph indicated that he believed that all merchants would not use the largest sign available under the code. Large signs are expensive to construct and erect and are not popular with many of the businessmen. Mr. Rudolph indicated his opinion in favor of enacting the ordinance as drawn in order to have atleast a year of experience before considering any changes. Mr. Haigler recommended that in connection with the problem of inspection that non-corrosive fastenings be required and that signs be erected so that inspection may be easily performed by the inspector.

He also favored higher inspection fees on roofs and overhanging signs and a graduated inspection fee based on the size of the sign. Mr. Platten recommended that the fees outlined in the proposal be tried for at least one year. Mr. Haigler indicated that the initial fee for a new sign is low and that he favors doubling the fee for roof and overhanging signs. A motion made by Mr. Haigler to reduce the square feet of the sign allowable for each front foot to three square feet did not receive a second so therefor did not come to a vote.

A motion was made by Mr. Haigler, seconded by Dr. Brooks, and approved by the Council to revise Section 1404-E to require the non-corrosive fastenings be used in the erection of all signs.

Following a discussion, a motion was made by Mr. Haigler, seconded by Mr. Rudolph, to revise the fees listed in Section 1404-K to indicate that for roof and overhanging signs the initial fee would be \$10.00 and that annual permit fee would be \$5.00. The vote on the motion was in favor, Councilmen: Haigler, Rudolph and Gaitler, Against: Councilmen: Mosetter, Hillas and Platten, with Dr. Brooks abstaining from voting as he has a sign on his property which will now be non-conforming. Burgess Williams cast his vote in favor of the motion and the motion was declared carried.

Dr. Brooks in discussing the fee schedule indicated that he objected to the requirement that at the end of the five year period when a non-conforming signs must be removed, a \$10.00 permit fee must be paid. Mr. Platten indicated that fees were kept at a low figure due to numerous signs on establishments and in order not to become an income producing activity, but merely a regulatory function. Mr. Haigler expressed the opinion that fees should be high enough to permit a good inspection by a qualified Borough Officer with higher fees to cover more difficult inspection. A motion was made by Mr. Haigler to set the initial fee on a new sign at \$10.00 for a sign which is not a replacment of a non-conforming sign did not receive a second so therefor was not put to a vote.

Mr. Schweigert, of the BuxMont Sign Company, addressed the Council concerning the proposed sign ordinance. He advised that he had served on the Philadelphia Sign Association Committee and on many committees in communities enacting new sign ordinance in Eastern Montgomery County. Mr. Schweigert recommended that sign erector be required to register and post bonds and to require electrical and fire underwriters approval. He indicated his opinion that the limitation of the size of signs appears to be reasonable and esthetically in order. In connection with the construction of ground signs he indicated that the limit height of 15 feet is not reasonable. In order to provide better vision he indicated that a ten foot clearance from the ground should be required but that the top height should be raised to 25 feet. Mr. Platten indicated that a Section of the draft forbidding signs which obstruct the view of Highway users would take care of this problem. Mr. Schweigert recommended that the height requirement of ground signs be spelled out specifically in order not to leave the decision to the opinion of an official as to the degree of obstruction. Mr. Schweigert also recommended that certificates of liability insurance coverage be required of all sign erectors. Mr. Platten indicated that if such a requirement is made for sign erectors similar provisions should be made for all other types

of contractors in the Borough. Mr. Schweigert indicated his opinion that the yearly permit fee for existing signs may be harmful to his trade. Mr. Platten advised that the clause is only for a safety factor and does not limit the number of signs to be installed. A motion was made by Mr. Platten, seconded by Mrs. Gaither, to revise Section 1402-6 to require a 10 foot minimum clearance on the ground signs with a 25 foot maximum height for the top of the sign. Following a discussion the motion was withdrawn.

Mr. Stewart McElhone addressed the Council, concerning the proposed sign regulations and then reviewed the hearing held by Council since September when he had indicated that a more liberal draft received from the Planning Commission had been considered. He indicated that revisions to date have made the proposal more restrictive and urged that the Council make haste in approving the ordinance before it becomes even more restrictive. Mr. Platten reported that advice received from the Planning Commission indicates that they have no objection to the latest draft of the proposed ordinance. Mr. McElhone presented his objections to the higher fees, shorter non-conforming sign time life, and the elimination of roof signs. In connection with the height limit for ground signs, a motion was made by Mr. Rudolph, seconded by Mrs. Gaither, and approved by the Council to revise the height limit for ground signs from 15 to 25 feet.

On the motion to adopt an ordinance to revise Section 14 of Ordinance No. 283 of the Zoning Code of the Borough of Hatboro, the vote of the Council was as follows: In favor Councilmen Mosetter, Hillas, Brooks, Platten, Rudolph and Gaither; Against Councilman Haigler.

ORDINANCE #349

To amend Ordinance #283 known as the Hatboro Zoning Ordinance of 1955.

Mr. Rudolph reporting for the Public Health and Safety Committee advised that the installation of traffic control devices at the Nu-Life Cleaners, 340 S. York Road, Hatboro will be reviewed by his Committee.

In connection with the installation of traffic signal at the intersection of Warminster and Byberry Roads, Mr. Rudolph advised that the Secretary has forwarded the request to the State Highway Department for the issuance of a permit.

Mr. Platten reporting for the Finance Committee indicated that an appointment of a new member to the Planning Commission is in order. The motion was made by Mr. Platten, seconded by Mr. Mosetter, and approved by the Council to appoint Mr. Charles E. Ashmore, 261 S. Chester Avenue, to serve as a member of the Planning Commission with his term to expire on December 31, 1964.

Mr. Platten presented and the Secretary read a letter of resignation from Mr. William Lampmann as a member of the Hatboro

Pension Fund Committee. Mr. Lampmann had been appointed at a previous meeting to serve as a member of the Hatboro-Horsham Joint School Authority. A motion was made by Mr. Platten, seconded by Mr. Haigler, and approved by the Council to accept Mr. Lampmann's resignation from the Pension Fund Committee, effective immediately.

Mr. Platten, commenting on the proposal to construct a municipal parking lot at the rear of the new post office building indicated the original plan had failed due to the lack of action by the originators of the plan. Mr. Haigler in commenting concerning the portion of the parking lot constructed for the post office use indicated that it had now been used for two or three weeks and that it had not been built to Borough specifications. He advised the several breaks in the surface have already occurred as the stone and black top had not been put in to sufficient depth.

Dr. Brooks in discussing the Loller Building Project indicated that the lease is now in the hands of the School Board for the inclusion of several terms discussed at previous Council meetings.

In connection with the planned administration of the Loller Building as a Community Building, Dr. Brooks recommended that the following members be appointed to serve on the Loller Academy Community Building Advisory Board: Mr. John C. Miller, Dr. Joseph Fairlie, Mrs. William Sohn, Reverend James D. Matchette and Mr. Ralph Worthington.

A motion was made by Dr. Brooks, seconded by Mr. Haigler, and approved by the Council to adopt the following resolution creating the Loller Academy Community Building Advisory Board, appointing the members of the Board to serve at the pleasure of the Council and indicating that Mr. John Miller is to serve as Chairman of the Board.

RESOLUTION

Resolved, That there is hereby created the Loller Academy Community Building Advisory Board:

The board shall be composed of five members, to be appointed by the Borough Council, shall serve at the pleasure of the Council; maintain, operate and supervise the Loller Academy Community Building, and

The members of the Board shall be: Mr. John C. Miller, Chairman, Dr. Joseph Fairlie, Mr. William Sohn, The Reverend James D. Matchette and Mr. Ralph Worthington.

Dr. Brooks indicated that the first business of the Committee is to retain an architect to plan the changes required by state requirements for the interior of the building. Mr. Platten recommended that all Civic Clubs and Service Organizations be asked to appoint representatives to serve on a advisory committee preparatory to having plans made and work done.

Dr. Brooks reported that he has been investigating planting of trees along a portion of Horsham Road. Suggestions will be made to the Shade Tree Commission in line with the report received from the Philadelphia Electric Company.

Dr. Brooks reporting in connection with the operation "ReDo" plans for the retail area of the Borough indicated that sketches have been placed in the hands of store owners and are now awaiting approval and action on the part of the owners.

Dr. Brooks reviewed the passage of a resolution some months ago requiring a deposit of \$500.00 for each parking space not furnished in accordance with the requirements of the Zoning Code. The effective date of the resolution has been post-poned several times and will be affective at this date if action is not taken. Mr. Platten read from the minutes of the Planning Commission indicating that the parking requirements in the ordinance now in affect are not in need of revision. A motion was made by Dr. Brooks, seconded by Mr. Mosetter, and approved by the Council to adopt the following resolution post-poning the effective date of the resolution adopted at a previous meeting to December 31, 1960.

RESOLUTION

RESOLVED, that the effective date of the resolution adopted on March 14, 1960, concerning the desposit of \$500.00 for each car parking space not furnished in accordance with the Zoning Code, be set at December 31, 1960.

Mr. Haigler reporting for the Highway Committee advised that the installation of curbs and stone in the highway in front of the Schneider Funeral Home had been discussed. The committee recommends that the stone be installed in the road bed of York Road adjacent to the new curbing in the same manner as the stone that was installed for the apartment houses at Madison Avenue.

Mr. Haigler reported that the Maintenance Department has investigated the storm drainage facilities at Smith's Chevrolet on North York Road and found that entrance revisions are needed. Work was started on November 14 to enlarge both of the openings and to install drainage inlets to help relieve the flooding situation.

Mr. Haigler also reported that the committee has reviewed the installation of the storm drain for the north side of Horsham Road through the Aiman property at 70 Horsham Road. The committee has agreed to recommend that the splash pad be removed and to extend the drainage pipe approximately 40 feet toward the creek bed. After the installation, the property owner will cover and grade the property. A ditch will also be arranged to carry the water the balance of the distance toward the creek.

Mr. Haigler advised that the committee had reviewed the possible adjustment of curb radii at the intersection of York and Byberry Roads and York and Montgomery Avenue for right turns of north bound traffic. Solicitor Henderson was questioned as to the legality

of cutting back the curb line and Mr. Henderson advised that the work was legally in order if it was not necessary to encroach upon the property owners ground. Mr. Haigler indicated that the surveys and plans will be made and submitted to a further meeting.

Mr. Haigler questioned Engineer Haggerty concerning the progress of the Horsham Road Project. Mr. Haggerty indicated that final inspection by the Borough officials would be made on Saturday morning, November 19, 1960. Mr. Haigler indicated that the Hatboro School District will proceed to install sidewalks on the north side of Horsham Road from the school foot bridge west to Academy Road. He also indicated that instructions should be issued to Meadowbrook Park Inc. to construct sidewalks along the north side of Horsham Road along the apartment house frontage, as agreed to at the time the ordinance was adopted changing the zoning for apartment house use.

Mr. Haggerty reported that curb stakes have been set at the Schneider Property on north York Road in order to permit the installation of the curb.

Mr. Haigler reported that the Highway Committee has been collecting information preparatory to the considering of various street improvement projects in the Borough for the 1961 Budget.

Mr. Haigler advised that in connection with the question of assessments for curbs and sidewalks on Horsham Road that there has been some newspaper publicity to the effect that no assessments would be made. Mr. Haigler further indicated that at the meeting held with the County Commissioners it had been pointed out that the appropriation received from the county would not cover the complete cost of construction and engineering and therefor the question of assessments had not been settled. Mr. Haigler further recommended that the Borough office proceed to accumulate the necessary information as to property frontages along Horsham Road so that when the total cost of the contract is reported individual assessments maybe computed and an appropriate ordinance adopted to cover the assessment procedure.

Burgess Williams reported that at that at the October meeting of the Montgomery County Borough's Association, announcements had been made that the Montgomery County Boards of Health Association had been activated and organized and urged that Hatboro officials attend meetings of the organization in order that it may become affective in taking care of health problems in the county. Burgess Williams also announced that Butler County, one of the first counties to approve a county health board, had at the recent election eliminated the health board for their county. Burgess Williams indicated his opinion in favor of local inspection of food establishments and drinking establishments and urged that a program for such work be initiated.

Solicitor Henderson reported concerning court cases pending and indicated that the Mebus Case had been continued until January 1961, the zoning appeal for the Gneiwek Property, York Road and County Line Road, had been decided in the Borough's favor. The Koehler Zoning Case for Horsham Road had been hear but no decision had been rendered by the judges. On the appeal for the two gasoline filling stations, the record has been filed to the

Supreme Court and will be scheduled for a hearing in the near future.

Mr. Rudolph presented the following statement in connection with discussions during the past many years of the Lucy Barnes-Garner Property.

"This Borough Council, as well as others which have preceded it, has devoted countless hours to the study and discussion of a series of proposals originated by certain businessmen and relating to the development of the Garner-Lucy Barnes Tract. To date these businessmen have been unable to devise a plan which would not call for the spending of Borough funds in amounts ranging from \$25,000 to over \$300,000. On the other hand they have refused to consider certain suggestions of Borough Council, such as the metering of proposed parking facilities as a means of paying off the Cost of such facilities. This practice of metering parking lots has been adopted by certain other communities (Lansdale, for example) but the Hatboro businessmen to whom the idea was presented flatly rejected it because they felt it "would not be good for business"

The aforementioned extensive discussions of the past have led me to the conclusion that the basic question has nothing to do with whether the Garner-Lucy Barnes Tract should be developed.

The basic question is who should pay the bill?

This could also be stated in alternative form, as follows:

1. Should the privately owned land known as the Garner-Lucy Barnes Tract be developed through the efforts and capital of the owners of the land and their associates, or,
2. Should the Borough of Hatboro invest public funds in the promotion of such a venture?

These questions can only be decided properly by the people of Hatboro. Therefore I am proposing the following resolution, for adoption as a policy of Council:

"Be it resolved that the Borough Council of Hatboro will entertain no further proposals with regard to Borough participation in the development of the Garner-Lucy Barnes Tract until after such time as the question, in suitable form shall have been presented to, and favorably acted upon by, the electorate of Hatboro."

Mr. Rudolph indicated that the purpose of adopting the above resolution is to assure that any Borough participation requiring the expenditure of Borough Funds will be necessarily have the approval of the voters of Hatboro and also to eliminate any further waste of

time on the part of the Council by people bringing proposal after proposal.

A motion was made by Mr. Rudolph, seconded by Mrs. Gaither, to approve the adoption of the following resolution.

RESOLVED, That the Borough Council of Hatboro will entertain no further proposals in regard to Borough participation in the development of the Garner-Lucy Barnes Tract until after such time as the question in suitable form shall have been presented to and favorable action upon by the electorate of Hatboro.

The vote on the motion was in favor Councilmen: Mosetter, Brooks, Platten, Haigler, Rudolph, Gaither; Against Councilman Hillas.

Mr. Haigler indicated that several years ago before being elected as Councilman he had urged Messrs. Gamburg and Frattone to submit figures covering development of the Garner Property which could be defended so that he could present them to Council. No figures had ever been presented in this connection. Mr. Haigler also indicated that Mr. Gamburg had been considered to fill a vacancy on Council but had refused to serve.

Mr. Platten reported that four or five weeks ago he had written letters to the President and the Vice-president of Vick Chemical Company urging that the property owned by Vick Chemical Company in Hatboro be again be considered in the expansion program of the Vick Chemical Company. In this connection Mr. Platten indicated that Mr. Carl Bazzel, Purchasing Agent of the Moreland Corporation and Secretary of the Manufactures Association of Greater Hatboro, had called on him to discuss the possible development of the Vick Chemical Property in the Borough. Mr. Platten had reviewed in detail the discussions and proceedings which had occurred in the past and Mr. Bazzel had indicated the interest of his association in urging that the Vick Chemical Company again become active in the development of the Hatboro Property. Mr. Platten read a letter received from the Manufacturers Association indicating the interest of the Association in promotion the development of the Vick Chemical Company in Hatboro. The letter also indicated the willingness on the part of the Association to meet with Vick Chemical executives in connection with any proposals for development. Copies of the letter are being sent to the Vick executives and a week after the letters are sent there will be a personal follow up to urge the renewal of interest on Vick Chemical Company's part in the development of the Hatboro property. Mr. Platten further indicated that he would personally follow up the actions of the Manufacturers Association in order to urge definite action in the matter.

A motion was made by Mr. Hillas, seconded by Mr. Haigler, and approved by the Council to adjourn the meeting the hour being 10:42 P.M.

Secretary

December 12, 1960

The regular meeting of the Borough Council was held in the Council Room on the above date.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen Hillas, Brooks, Platten, Haigler, Rudolph and Gaither; Treasurer Gintowt, Burgess Williams; Police Chief Dudbridge; Street Supervisor Stauch; three residents and two press representatives.

The invocation was given by Burgess Williams.

The minutes of the Council meetings of October 31 and November 14 were presented for review and approval. A motion was made by Mrs. Gaither, and seconded by Mr. Rudolph, and approved by the Council to approve the minutes as submitted.

Treasurer Gintowt presented the cash report which indicated a cash balance at October 31 at \$3,714.53, there was temporary borrowing during the month of November of \$20,000 with total income including borrowing of \$25,580.70. The cash balance at November 30, 1960 was \$10,054.76, and at December 12 \$3,707.41. Mr. Gintowt also reported that at the end of the year it is expected that there will be temporary borrowings outstanding of \$20,000 and that the cash balance will be approximately \$1,000. The reason for the temporary borrowings is that payments have been made to the contractor for the Horsham Road project for which reimbursement has not been received from the county. A motion was made by Mr. Hillas, seconded by Mr. Rudolph, and approved by the Council to accept the above cash report.

Mr. Platten announced that the Council meeting would be recessed in order that a public hearing may be conducted for a petition received from Mrs. DeFuro, 27 East Montgomery Avenue, petitioning for a change of zoning for the property from B-Residential Classification to R-Retail Classification. The petition was read by the Secretary along with the public notice that was advertised in the Daily Intelligencer on November 22, 1960. The Secretary also advised that the property had been posted in accordance with the requirements of the Zoning Code by the Zoning Officer. Mr. Platten reported that no recommendation has been received from the Planning Commission concerning the petition. Mrs. Dian, daughter of Mrs. DeFuro, discussed the application for the change of zoning and advised that her mother and sister reside at the property. In order that she may properly care for her five and half yearold daughter, a change of zoning is being requested to permit the operation of a beauty parlor to be established at the residence. Mrs. Dian advised that the present residents have lived in the dwelling since November 15, 1945. She also indicated that parking would be available as the driveway at the side of the home would permit parking for three cars. It was also indicated that no other retail use is intended for the property and that if the beauty parlor operation would to cease they would prefer that the zoning classification revert back to Residential-B Classification. In response to questions it was indicated that the property to the east of the property in question is zoned Residential-B and the property to the west is zoned Retail.

Photographs were presented showing the bordering properties. It was also indicated that the zoning classification for the property across the street is Residential-A is occupied by a two family home. Mr. Haigler questioned if the zoning change could be made to a subject to a specific use for a limited time. Mr. Platten indicated that such a procedure was not usual but may be legal. The petitioner also presented a statement containing the names and addresses of nine neighbors who present no object to the proposed zoning change. Mrs. Fisher of 48 East Montgomery Avenue presented her objection to the operation of Gero's Garage along with its alleged junk yard and a barking dog condition. She also objected to the storing of used household appliances on the property of Mrs. Hupcik. Mr. Fisher also presented her objection to the granting of the zoning change for the DeFuro property. Dr. Fisher presented his objection to the change and indicated his opinion that zoning should be kept permanent. He also foresaw a parking problem and indicated that there are already two beauty shops in the immediate area. Dr. Brooks pointed out that in the setting up of the zoning map there is usually a buffer zone established around the retail area. He reviewed the permitted uses of the Residential-C Zone which is often used as such a buffer area. Mrs. Dian replied to Mrs. Fisher's questions concerning the operation of the beauty parlor.

Mr. Platten declared the hearing for the above petition closed and indicated that the decision of Council will be held until a recommendation is received from the Planning Commission.

Mr. Platten announced that on December 1, 1960 he had informed Mr. Wilcke, the Borough Building Inspector, Plumbing Inspector, Assistant Health Officer and Zoning Officer, that the Council had unanimously approved his retirement, effective December 31, 1960. Mr. Platten also indicated that he had expressed his personal appreciation to Mr. Wilcke for the services rendered to the Borough over the past years.

Mr. Platten also announced that a letter of resignation had been received from Mr. Irvin T. Kepler, a member of the Hatboro-Horsham Joint School Authority, due to a change of circumstances at his home. A motion was made by Mr. Hillas, seconded by Mr. Haigler, and approved by the Council to accept the resignation of Mr. Kepler as indicated above.

Mr. Platten also reviewed the Borough Calendar of Boards and Commissions and pointed out the various officials whose terms expire on December 31, 1960. He ask that Councilmen consider the appointments to be made and submit the names of nominees to him for distribution among Council members so that interviews may be arranged as needed.

Mr. Platten, reporting for the Finance Committee indicated that the 1961 Budget is in a terminal state awaiting recommendations from the Highway Committee concerning projects for the next year. It was agreed that the finance and highway committees would meet on Saturday morning, December 17 at 8 A.M. to work the recommendations presented into the 1961 Budget. Mr. Platten also announced that a special Council meeting will be held on December 29, 1960 to adopt a supplementary budget resolution to make adjustments to the budget in accordance with the report to be received from the Treasurer for spending for

the year 1960. It is hoped at the same meeting that the 1961 budget will be completed to the point that it can be placed on view and adopted in January or early February.

Mr. Platten indicated that a meeting had been held with Mr. Klein of the Planning Commission concerning the proposed comprehensive survey to be conducted for the Borough by the Montgomery County Planning Commission. A new application form is being worked out and will be presented at a later meeting for consideration and approval.

Mr. Platten presented for adoption an ordinance revising the permit and licenses fees for the Borough. He reviewed the fees in detail and indicated that a new feature has been added requiring the approval of the Zoning Officer on all building permit applications.

A motion was made by Mr. Rudolph, seconded by Mr. Hillas, to adopt the following ordinance.

ORDINANCE NO. 350

PROVIDING FOR THE ESTABLISHMENT OF A REVISED SCHEDULE OF FEES FOR LICENSES, PERMITS, FEES AND CHARGES FOR MUNICIPAL SERVICES IN AND FOR THE BOROUGH OF HATBORO, AND REPEALING INCONSISTENT ORDINANCES OR RESOLUTIONS.

The vote on the motion to adopt the above ordinance was in favor: Councilmen Hillas, Platten, Haigler, Rudolph and Gaither; Against Councilman Brooks.

Dr. Brooks, reporting for the Public Works Committee, indicated that no further word has been received from the Loller Building Board but that he expects that a meeting will be held very shortly to get the project organized. Mrs. Gaither reported that she had attended a meeting held by the Board at the Loller School, and looked over the building with others, preparatory to considering changes needed. Mrs. Gaither also indicated that Mr. Ralph Barnes, a resident of the Borough on Byberry Avenue, who is a member of the National Park Commission, has been present when they looked over the building. Mr. Hillas indicated that another member of the National Park Commission resides in the Borough, Mr. Charles Shedd. In connection with the Loller Building, it was reported by the Secretary that the lease forms had been sent to the School Board for signatures and had not been returned to date.

Dr. Brooks indicated that nothing new had been heard on the operation "ReDo" but that he had received a letter from Dr. Osborne indicating that another community had retained his services for a similar project.

Mr. Haigler, reporting for the Highway Committee, indicated that the Horsham Road project is now awaiting a final estimate to be prepared by the engineer. Mr. Haigler also indicated that a revised invoice had been received from Mr. Haggerty for engineering services in connection with the Horsham Road project. The original invoice in

the amount of \$9,535.25 had been reviewed with Mr. Haggerty at a meeting of the Highway Committee and following negotiations the total amount had been reduced to \$8,909.39. Mr. Haigler indicated that the Highway Committee recommends approval of the revised invoice. A motion was made by Mr. Haigler, seconded by Mr. Hillas, and approved by the Council to authorize payment of the balance \$3,988.36 for the engineering services for the Horsham Road Project which represents a full and final payment for the job.

Mr. Haigler reported that the proposed changes in the curb radii for the York Road intersections of Byberry, Montgomery and Moreland Avenues had been reviewed at the Highway Committee meeting. Mr. Haigler indicated an expenditure of a few hundred dollars at each intersection may aid in delaying action by the State Highway Department in requiring the removal of parking meters along York Road in the retail area. Mr. Haigler also indicated that the resurfacing of West Moreland Avenue was considered by the Committee and indicated that curbs are required on West Moreland Avenue beyond Chester Avenue.

In connection with the storm drainage project covered by the survey recently completed, the Highway Committee recommended that negotiations be started for stage number one, which covers the drainage ditch along the Reading Railroad track south to the Penny-pack Creek.

Mr. Haigler reported that changes to the storm sewer inlets at Smith Chevrolet will probably relieve a flooding problem at that location. The committee at its meeting also gave consideration to the drainage problems presently existing on Tanner Avenue and Loller Road. The drainage problem on Tanner Avenue ties in with the diversion of the drainage south along the railroad and it may be that curbing will be required on both streets in order to accomplish satisfactory results. In this connection the Highway Committee recommends that the property owners on both street be contacted and that the committee conduct a hearing with the property owners in order to get their comments concerning the sharing of curb costs.

Mr. Haigler indicated that an ordinance is required to cover the assessment of curbs and sidewalks in the Horsham Road Project. The adoption of such an ordinance is being withheld until final construction costs are received from the engineer. Mr. Haigler further pointed out that the county funds allocated to the Horsham Road Project are not sufficient to permit the elimination of the assessing of curbs and sidewalks.

Mr. Rudolph reporting for the Public Health and Safety Committee advised that reports of the Assistant Health Officer, Plumbing Inspector, Building Inspector, and the Police Department are available for review for the month of November 1960.

Mr. Rudolph advised that adoption of an ordinance legally required for the setting up of the Police Department in the Borough is being considered by the committee. Final draft of the ordinance should be received from Solicitor Henderson in time for adoption at the special meeting to be held on December 29.

Concerning the installation of traffic signal at the intersection of Warminster and Byberry Roads, Mr. Rudolph reported that a letter had been received from Upper Moreland Township indicating that they would assume a proportionate share of the cost of installation and maintenance. This wording would indicate Upper Moreland would only pay 25 per cent of the cost as three of the four corners are in the Borough of Hatboro. A reply has already been sent to Upper Moreland Township indicating that definite action will be taken by Hatboro only if Upper Moreland agrees to assume 50 per cent of the cost of the installation after receipt of county aid.

Mr. Rudolph advised that a meeting of the Eastern Montgomery County Group concerning synchronizing of traffic signals along York Road and Easton Road it had been reported that there is a possibility that the parking meters along York Road in Hatboro may be eliminated. This may occur when the highway has been widened to the full 45 width through to County Line Road in Hatboro. It has also been reported that the widening project is planned to start in 1961. Mr. Haigler suggested that the Councilmen observe conditions in Jenkintown where a full width Highway exists and a restricted use of parking meters is permitted. The report of the meeting also indicated that the contribution of county funds to the project may be limited to 25 per cent of the total cost of \$96,000.

Mr. Rudolph reported that a parking problem exists along the newly improved portion of Horsham Road. The committee recommends that the suggestion of the Chief of Police that a no parking area be created on the south side of Horsham Road for a distance 200 feet west of York Road be approved by the Council. In accordance with ordinance number 231 it was agreed that the no parking area as recommended above be authorized and the necessary signs installed.

Concerning the installation of sidewalks on Horsham Road, Mr. Rudolph reported that the Hatboro School District has installed sidewalks west from the foot bridge to the Academy Road crossing.

Mr. Rudolph discussed the installation of traffic control devices for the turn around feature at the Nu-Life Cleaners, 350 S. York Road. A letter has been received from the property owners indicating that the control of customer parking is operating properly and that no further steps will be taken by the property owners. Mr. Rudolph indicated his opinion that the steps taken are not satisfactory but that the committee recommends that legal action taken some months ago be concluded. The Secretary was directed to advise Solicitor Henderson to discontinue action and to have the proper legal documents signed. However any further changes made by the property owner in the traffic control set-up must be submitted to the Borough for consideration.

In connection with the adoption of the new sign regulation of the Zoning Ordinance, Mr. Rudolph reported that a complete inventory has been taken of all signs in the Borough. The Building Inspector and the Maintenance Department were complimented on their prompt action on the inventory. It is expected that letters will be sent out to all owners of signs along with a copy of the sign ordinance explaining the responsibility of the owner in applying for a permit in accordance with a requirements of the new ordinance. Mr. Platten indicated that he has prepared the text of the letter to the sign owners and that

a date of February 15, 1961 will be set for a deadline for receiving applications for sign permits.

Mr. Rudolph reported that a letter had been received from the president of the Pennypack Elementary School Parent Teachers Association asking for action by Council to work out a plan for the installation of sidewalks on the west side of Chester Avenue between Lehman and Williams Lane. The request was referred to the Highway Committee by President Platten for consideration at their next meeting. Burgess Williams suggested that a white line be marked on the street several feet from the curb line to provide a walk way for the school children.

Burgess Williams reported that at a recent meeting of the Borough's Association the problem of water conservation in the Delaware Valley had been discussed. Burgess Williams also reported that Mr. McClurken had been nominated for the position of Secretary of the Montgomery County Borough's Association.

Burgess Williams discussed the proposal to locate the Civil Defense Office in the Loller Academy Building. He reviewed the requirements listed for receiving matching funds from the government and indicated that no county or state funds are available and that it appears to be very difficult to apply for federal funds for the construction and maintenance of a civil defense office. Mr. Hillas questioned if any definite action had been taken to authorize the spending of funds on the Loller Building Project. It was indicated that no action has been taken by Council to date and that such expenditures may be included in the 1961 Budget.

The Secretary advised that the official election return on the question placed on the November ballot concerning the bond issue of \$20,000 for the repair and modernization of the Loller Academy Building had been received from the county election board as follows:

IN RE

PROPOSED INCREASE OF DEBT OF THE

BOROUGH OF HATBORO
MONTGOMERY COUNTY, PENNSYLVANIA

COUNTY BOARD OF ELECTIONS

RETURN

We, the undersigned, having according to law, examined the Returns and computed the votes submitted to us as the County Board of Elections of Montgomery County, Pennsylvania, of an election held the 8th day of November, 1960, in the Borough of Hatboro, for the purpose of obtaining the assent of the electors of said Borough to an increase of debt in the sum of \$20,000 for the purpose of providing

funds for an towards the repair and modernization of the Loller Academy Building in the Borough of Hatboro for use as a Community Building for Community purposes, the Returns of which election are on file in this office, find the number of votes cast in favor of said increase of debt was 1134; the number of votes cast against said increase of debt was 1104; the majority in favor of said increase of debt was 30.

WITNESS our hands and the Seal of the County Board of Elections of Montgomery County this 21st day of November, 1960.

(sgd) Elkins Wetherill

(sgd) Warren M. Cornell, Jr.

(sgd) Daniel T. Costello

Montgomery County Board of Elections

(Seal)

ATTEST:

(sgd) Fred W. Fairlie, Jr.
Chief Clerk

The Secretary reported that the financial statement had been received for the Upper Moreland-Hatboro Joint Sewer Authority for the year ending September 30, 1960.

A motion was made by Mr. Hillas, seconded by Mr. Rudolph, and approved by the Council to adjourn the meeting the hour being 9:46 P.M.

Secretary

December 29, 1960

A special meeting of the Borough Council was held in the Municipal Building on the above date for the purpose of adopting a supplementary budget resolution for the 1960 budget, to authorize placing on view the 1961 budget and to conduct anyother business to come before the Council.

The meeting was called to order at 8 P.M. by President Platten with the following present: Councilmen Mosetter, Hillas, Brooks, Platten, Haigler, and Rudolph; Burgess Williams; Treasurer Gintowt; Police Chief Dudbridge; Borough Superintendent Stauch; Mr. Klein of the Planning Commission; three residents and one press representative.

The invocation was given by Burgess Williams.

Mr. Platten introduced the subject of the 1961 budget and indicated that the budget contained provisions for the enacting of an annual mercantile tax in the amount of \$25.00. Mr. Platten discussed the need for the tax or license and the procedure to be used in the administration and collection of the tax. He pointed out that the tax is expected to produce an annual revenue of approximately \$5,000. Mrs. Guyon of Home Road questioned if the tax would apply to the operation of a dance school. Mr. Platten indicated that he believed that it would apply. Mrs. Guyon presented an objection to paying the same fee as other larger commerical enterprises in the Borough. Mr. Platten pointed out that the mercantile tax is similar to the head or per-capita tax in which the same amount is applied to all persons. Dr. Brooks cited the graded basis for the income tax and objected to the applying of the same tax to all persons. He favored basing the tax on a graded basis, depending on all number of employees in the business. Mr. Mosetter pointed out that the number of employees in the business is no indication of the amount of income derived from the business. Mr. Platten reviewed other taxes which are based on a similar basis. Burgess Williams presented his objection to the provision which exempted itinerant vendors who did business the borough for a period of less than 60 days. Mr. Hillas indicated he was familiar with the flaws in all types of taxes but pointed out that the borough needs additional revenue and this type of tax presents a means of raising some of the needed revenue.

A motion was made by Mr. Platten, seconded by Dr. Brooks, and approved by the Council to adopt the following resolution announcing the intention of the Borough Council to adopt an ordinance imposing the above tax.

BE IT RESOLVED: That the Council of the Borough of Hatboro, under the Authority granted by the provisions of Act. No. 481 of the General Assembly of the Commonwealth of Pennsylvania approved June 25, 1947, P. L. 1145, and its amendments, hereby authorizes its Secretary to give notice of the intention of the aforesaid Borough Council to enact an ordinance imposing a mercantile license tax on persons engaged

therein, providing for its levy and collection and providing for the issuance of mercantile licenses and imposing penalties.

Mr. Rudolph suggested that any Councilman objecting to the adoption of the above type of tax give serious thought to suggesting an alternative means of producing the needed revenue for the 1961 budget.

Mr. Platten indicated that a proposed ordinance has been drawn up to impose an annual tax or license fee in the amount of \$15.00 on each vending or amusement device operated by coin, token or other object in the Borough of Hatboro, excluding telephone pay stations, postage tax dispensing machines, newspaper dispensers and any machines or devices operated by one penny. Mr. Platten indicated in detail the purpose of the tax and indicated that the revenue for 1961 is estimated to be \$1,500. Burgess Williams questioned the exemption of the one penny machines and recommended that those operated for charity be exempt and that all other penny machines be taxed. A motion was made by Mr. Platten, seconded by Mr. Mosetter, and approved by the Council to adopt the following resolution announcing the intention of the Borough Council to adopt an ordinance imposing the above tax.

BE IT RESOLVED: That the Council of the Borough of Hatboro, under authority granted by the provisions of Act. No. 481 of the General Assembly of the Commonwealth of Pennsylvania, approved June 25, 1947, P. L. 1145, and its amendments, hereby authorizes its Secretary to give notice of the intention of the aforesaid Borough Council to enact an ordinance imposing an annual tax or license fee on each vending or amusement machine or device operated by coin, token or other object in the Borough of Hatboro, providing for its levy and collection, providing for the issuance of licenses and the imposition of penalties.

Mr. Platten also announced that an ordinance is being prepared to require the payment of an annual license fee for the erection and maintenance of utility poles and underground wires and cables. This license fee is intended to produce an annual revenue of \$5,000. The license fee per pole will be \$5.00 per year and a fee of \$.25 per each 250 feet of wire or cable installed underground. He pointed out that an inventory of pole and cable installations is first needed and that a definite draft of the ordinance will be ready for the January Council meeting.

Mr. Platten announced that the proposed 1961 budget has been prepared in definite form and is now ready for public review. A motion was made by Mr. Platten, seconded by Mr. Hillas, and approved by the Council to authorize the advertising of the proposed 1961 budget.

Mr. Platten indicated that the proposed budget has been prepared showing real estate tax rates of $14\frac{1}{2}$ mills for general tax purposes and 2 mills for debt service.

Mr. Platten reviewed the budget report for the 1960 operating year and discussed in detail the differences between estimated income and the actual income and expenditures. He pointed out that two items listed in the income section as county aid for \$25,000 and a proposed bond issue \$40,000 which had not been received as income during the budget year. He recommended that these two items be removed from the budget along with the expenditure under budget item number 41-Q of \$40,000 for the Horsham Road Project and that a revised budget report be prepared.

Mr. Platten advised that the Secretary has prepared the required supplementary budget resolution to adjust the appropriation of the accounts which indicated expenditures in excess of appropriations made when the original budget was adopted early in 1960. A motion was made by Mr. Platten, seconded by Mr. Hillas, and approved by the Council to adopt the following resolution.

RESOLUTION

WHEREAS, a credit balance remains in the following items set up in the 1960 Budget, as follows:

11-D-2	Other Engineering Expense	\$2479.00
12-A	Salary - Tax Collector	400.00
21-A-2	Police Salaries - Sergeant	3101.73
41-T	Highways - Land Damages	1000.00
91-B	Misc. - Compensation Insurance	1171.55
		<u>\$8152.28</u>

NOW THEREFORE BE IT RESOLVED, That the credit balances appearing in the above described items in the 1960 Budget be and they are hereby unappropriated, and

BE IT FURTHER RESOLVED, That there be appropriated from the General Account the following items:

11-B	Administration - Salaries Clerks	27.80
11-C-3	Legal Expenses-Other	237.75
11-E-1	Postage, Printing & Advt.	343.13
11-E-2	Office Supplies	124.54
11-K	Other Expenses	45.02
11-J	Capital Outlay	60.82
13-C	Rent of Building	14.33
13-F	Telephone	39.60
13-K	Capital Outlay-Bldg.	488.00

21-A-5	Police - Salaries - Clerical & Desk	1514.05
21-C-1	Equipment Repairs	551.05
21-F	Telephone	14.55
21-H	Civil Service Expense	.99
21-K	Capital Outlay - Car	452.81
36-A-1	Health & Sanitation - Rubbish Collection	999.40
41-M-3	Highways - Equipment Rental	290.23
41-M-4	Purchase of Tools	24.46
41-O	Other Expense	65.88
61-A	Recreation - Salaries	100.80
61-F	Other Expense	120.46
63-A	Pool Operation	33.82
91-C	Miscellaneous - Casualty Insurance	563.93
98	Gasoline Boro Tank	821.51
112	Debt Service-Interest-Temporary Loans	387.79
154	Other Non-Gov't Expense - Parking Lot	230.26
		<u>7552.98</u>

And Further Be It Resolved, That this resolution be adopted as supplemental to the General Budget Resolution of the Borough of Hatboro for the year 1960, and that any resolution or part of resolution conflicting with this resolution be, and the same is hereby repealed insofar as the same conflicts with this resolution.

Enacted this 29th day of December 1960.

Peter Platten
President

Attest:
Thomas A. McClurken
Secretary

Approved this 29th day of December 1960.

R. W. Williams
Burgess

Mr. Platten advised that in the preparation of the proposed budget for the 1961 the appropriation to cover the comprehensive survey of the borough by the county planning commission has been eliminated due to financial reasons. Mr. Klein indicated that the Planning Commission has been working out revised application for the survey and that he did not believe that an appropriation would be required before the year 1962.

Mr. Platten reported that signed copies of the lease of the Loller Building had been received from the Hatboro School District. A motion was made by Dr. Brooks, seconded by Mr. Haigler, and approved by the Council to adopt the following resolution authorizing the

President, Secretary and Burgess of the Borough to execute the above lease agreement.

RESOLUTION

RESOLVED, That the President and Secretary of the Borough of Hatboro are hereby authorized to execute the lease with the owners of the Loller School Building.

The form of lease for the use of the Loller School Building by the Borough is as follows:

AGREEMENT, made this 28th day of November, 1960, between the School District of the Borough of Hatboro, the School District of the Township of Horsham, and the Hatboro-Horsham Joint School Board, hereinafter called Lessor, of the one part, and the Borough of Hatboro, hereinafter called Lessee, of the other part.

WITNESSETH that the Lessor hereby demises and lets unto the Lessee, ALL THAT CERTAIN building known as "Loller Academy" and the lot on which it stands, as well as the yard on the North side thereof, situate in the Borough of Hatboro, Montgomery County, Pennsylvania, on the Westerly side of York Road, two hundred forty feet more or less South of the Southerly side of Horsham Road, together with the right to use the walk leading from York Road to the front of the said building, said right to be in common with Lessor, for a term of one year from the date hereof, for the annual rental of One Dollar.

It is further covenanted and agreed, by the parties hereto, as follows:

1. The Lessee shall not assign this lease nor sublet the said premises, or any part thereof, or use or occupy the same other than for social, recreational, governmental, or other purposes permitted by Section 775 of the Public School Code of 1949.

2. The Lessee shall during the said term, or any renewal thereof, at its own expense, keep the demised premises in good order and repair as they now are, and at the termination of the said term, or any renewal thereof, or upon the termination as otherwise provided for herein, deliver the said premises to the Lessor in as good condition as the same now are, reasonable wear and tear and damage by accidental fire excepted.

3. The Lessee shall, at its own expense, comply with any requirement, which may be made by any proper authority of the Commonwealth of Pennsylvania, in order to use the said premises for the purposes aforesaid.

4. The Lessee shall make no alterations or improvements to the premises without first having obtained the written consent of Lessor, which consent Lessor will not unreasonably withhold.

5. In the event Lessor shall require the demised premises for school purposes, Lessor may resume full occupancy of the demised premises upon giving at least forty-eight hours written notice to Lessee, such occupancy to continue only so long as absolutely required and Lessor shall cease the use of the premises leaving the same in as good order and condition as they were when they resumed occupancy, fair wear and tear excepted, and thereafter Lessee shall have the right of occupancy of the said premises for the balance of the term.

6. This lease may be terminated at the end of the term by either party giving to the other ninety days written notice of intention to terminate and in default of such notice the lease shall continue for an additional term of one year, and so on from year to year, until either party gives the other notice as aforesaid.

7. The Lessee shall, during the term of this lease, or any renewal thereof, and at its own expense, keep the buildings on the premises insured against fire, with extended coverage, with some responsible company in the sum of not less than \$75,332.00*, in the names of the Lessor.

8. The Lessee shall, during the term of this lease, or any renewal thereof, and at its own expense, purchase and maintain a public liability insurance policy or policies, in the sum of not less than \$100,000/\$300,000 in the joint names of Lessor and Lessee.

9. The Lessee agrees that the Lessor shall not be held responsible for, and Lessor is hereby especially relieved from any liability by reason of damage or injury to persons or goods caused by and defect, or that may be caused by the acts of any person or persons in or about the demised premises, and the Lessee assumes all liability in any action for damages which may arise therefrom.

10. Upon the termination of this lease, and only in the event Lessor resumes occupancy of the building for school use and intends to continue such occupancy and use, Lessor shall reimburse Lessee for any major improvements to the building made by Lessee, provided, that such improvement be a benefit to the Lessor in its use of the building for school purposes. The amount to be paid for such improvements shall be determined by the Lessor and the Lessee. If, upon termination of this lease, Lessor intends to demolish the building, and does not use it for school purposes, Lessor shall be under no obligation to pay for any improvements made by the Lessee, but in that event the Lessee shall have the right to remove any improvements made by it, within a reasonable time after the date of termination of the lease, to be determined by Lessor.

11. The Lessee and other persons using the leased premises shall have the right to use the parking lot location in the rear of the high school building, for the parking of motor vehicles, and also the right to use a walk from the parking lot to the leased

*90% of insurable value

12-29-60

premises, subject to rules and regulations now or hereafter adopted by the Lessor, for the use thereof.

12. The Lessee shall be responsible for electric, water and sewer service to the demised premises and shall have meters installed so that these services shall be billed to Lessee directly.

IN WITNESS WHEREOF the said parties have caused this agreement to be executed by their proper officers and their respective seals affixed.

SCHOOL DISTRICT OF THE BOROUGH OF HATBORO

By Joseph H. Buzby
President

Attest Richard S. Cornell
Secretary

SCHOOL DISTRICT OF THE TOWNSHIP OF HORSHAM

By H. C. Geuther
President

Attest Ruth K. Prince
Secretary

HATBORO-HORSHAM JOINT SCHOOL BOARD

By John P. Moorhouse
President

Attest Ellen B. Knapp
Secretary

BOROUGH OF HATBORO

By Peter Platten
President of Council

Attest Thomas A. McClurken
Secretary of Council

Approved R. W. Williams
Burgess

Mr. Platten advised that he had received a letter dated December 22, 1960 from Burgess Williams pointing out the hazards of getting involved in an urban redevelopment project such as presently being discussed by the Commissioners of Cheletenham Township. A newspaper clipping indicating the opposition of the residents of the Glenside area of Cheletenham Township to the project was enclosed.

Mr. Haigler discussed in detail the completion of the Horsham Road Improvement Project and indicated that Engineer Haggerty has urged that final payment on his engineering fee be paid as promptly as possible. Mr. Haigler pointed out that the list of corrections needed on the project, prepared some weeks ago, has been reviewed but that all items could not be checked due to weather conditions. After discussing the items still to be completed, it was agreed that they

were minor items and that they could be probably be taken care of by Borough forces. Mr. Platten pointed out that until the certificate of completion has been received from the engineer, the appropriation of funds from the county can not be received nor can assessments be made for curbs and sidewalks to the adjacent property owners.

Mr. Rudolph indicated that in connection with the appointment of a member to the Upper Moreland-Hatboro Joint Sewer Authority, he was suggesting the appointment of Mr. Daniel W. Pesanic, 360 N. Penn Street, Hatboro to replace Mr. Rieco as a member of the Authority.

In connection with the retirement of Mr. Harry W. Wilcke on December 31, 1960 from the employment of the Borough in the positions of Building Inspector, Plumbing Inspector, Assistant Health Officer and Zoning Officer, a motion was made by Mr. Platten, seconded by Mr. Haigler, and approved by the Council to adopt the following resolution.

RESOLVED, That Edward O. Stauch is hereby appointed to serve in the positions of Building Inspector and Plumbing Inspector and Thomas A. McClurken is to serve in the positions of Assistant Health Officer and Zoning Officer.

Mr. Haigler indicated that upon reviewing some of the permit fees included in Ordinance No. 350 he found that the fee for sidewalk installations appears to excessive. He indicated that the Highway Committee will review the fees listed and prepare a recommendation for the next Council meeting.

A motion was made by Mr. Hillas, seconded by Dr. Brooks, and approved by the Council to adjourn the meeting, the hour being 9:32 P.M.


Secretary

3282





